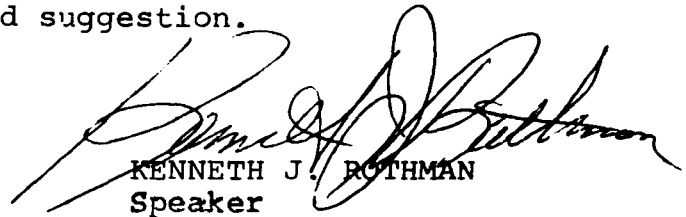


Feb. 7 - 1977

This is the first in a series of weekly summary reports of bills on the House Perfection Calendar. It is compiled by the research analyst staff in an effort to provide greater service to House members.

As you can see from its capsule form, the schedule is intended to outline and organize legislation before the House membership. Because of the haste in which this first issue was compiled, and because selection of a full research staff has just been completed, information on some of the perfected bills is incomplete. We regret this, but we expect upcoming House schedules to carry more information.

It is hoped you will find this summary a helpful, informative tool. We welcome your comments and suggestion.



KENNETH J. ROTHMAN
Speaker



Sandra Fuhrman
Research Director

INFORMAL CALENDAR FOR PERFECTION

HB 71 -- State Minimum Wage

Sponsor: Dirck, Barry, et al

Committee Action: Reported out of the Labor Committee on a 14-0 vote.

Would set a minimum wage of \$2.30 an hour for most workers, and require time-and-a-half pay for more than a 40-hour week. It would include approximately 250,000 Missourians not covered in the Federal minimum wage law. Employers with less than six employees would be exempt from the act, as would persons under the age of 18.

Proponents: Supporters argue every worker is entitled to a minimum wage, and that this bill will cover those groups which are not included in the Federal law. It essentially affects three new groups: all state and local government employees, some employees of retailers and some employees of farmers.

Opponents: No testimony in opposition before the committee.

HOUSE FLOOR SCHEDULE
week of February 7, 1977

HB 21 -- Repeal of the "blue law" in Jackson, Clay and Platte counties

Sponsor: Scaglia, et al

Committee action: Bill reported out of Governmental Organizations
Committee on an 8-1 vote.

Would repeal the prohibition against selling certain goods on Sunday in Jackson, Clay and Platte counties only. Would allow the sale of goods and merchandise on Sunday by a local option election.

Proponents: Supporters argue the act is necessary to prevent Missouri from losing revenue to the state of Kansas which results from a prohibition in Missouri against selling certain items on Sunday. Among those testifying in support of the measure were City of Kansas City Municipal League, Seventh Day Adventists, Building Trades Union, Western Missouri District Labor Council, Jackson County Prosecuting Attorney and the City Council of Independence.

Opponents: Those testifying in opposition to repeal of the "blue law" argued it would have an adverse effect on family life, retailers would have no choice but to keep their stores open to stay in competition, and by permitting 3 counties to repeal the "blue law", the result would be a distorted economy. Among those testifying against HB 21 were the Missouri Baptist Convention, Missouri Catholic Conference, Missouri Automobile Dealers and Missouri Retail Association.

HCS HB 428, 602 -- Special Treasury and Federal Grant Funds

Sponsor: Holt (602) Nilges (428)

Committee Action: Substitute reported out of Governmental Review
Committee on an 8-0 vote.

The bill relates to the establishment of a General Revenue fund and a Federal Grant Program fund in the Treasury, and regulates the expenditures. The bill also sets an effective date.

Proponents: Supporters say the state needs this method to keep track of money coming to the state from the Federal government.

Opponents: No testimony in opposition was offered to the committee.

HB 91 -- Destruction of Noxious Weeds

Sponsor: Griffin - Co-sponsor, Russell (6th)

Committee Action: Reported out of Agriculture Committee on a 26-0 vote.

Applies to the eradication of the noxious weeds of musk thistle and canada thistle. These two weeds are rapidly spreading and destroying good grazing land and are a nuisance to cattlemen and farmers throughout Missouri. The bill calls for an eradication program to be administered by the county courts. Failure to comply provides for a \$25 fine per offense plus court costs. Revenue from this fine would be put into an eradication fund.

Proponents: Supporters say the weeds take over valuable grazing and crop land and make the land virtually useless. The weeds are difficult to destroy and revenue is lost through inability to plant and harvest crops and provide pasture land for animals. Among those testifying in support of HB 91 were Missouri University Agriculture school, Missouri Farmer's Association, Farm Bureau, National Farmer's Organization, and Missouri Cattlemen's Association.

Opponents: No opposition was voiced to the committee.

HB 502, HCA 1 -- Admission of Certain Evidence in Rape Cases

Sponsor: Vossmeier, et al

Committee Action: Bill reported out of the Civil and Criminal Justice Committee on an 11-0 vote.

Would exclude from testimony information about the complaining rape victim's prior sexual conduct. Evidence of prior conduct cannot be admitted unless evidence of immediate surrounding circumstances of the alleged crime bears on the case or where evidence relating to the previous chastity of the complaining witness in cases, where, by statute previously chaste character is required to be proved by the prosecution.

Proponents: Supporters of the bill say it is needed because some women are reluctant to report a rape to officials because they do not want to testify about their prior sexual activity. They maintain this is invasion of privacy and has no bearing on the case in question.

Opponents: No opposition was voiced to the committee on the final version.

HB 519 -- State Legislator's Pay Raise

Sponsor: Rothman

Committee Action: Reported out of Fees, Salaries and Retirement
Committee on an 8-1 vote.

Would increase the salaries of members of the General Assembly from \$8,400 per year to \$8,401. The \$1 increase would be amended after the Citizen's Commission studying state official's salaries makes its recommendations.

Proponents: Supporters of the bill argue the pay received by legislators is not enough to compensate them for the time and cost spent on legislative business. In addition, some members have been forced to leave politics for economic reasons, and other individuals have been discouraged from seeking elective office because of the salary level.

Opponents: No testimony in opposition to the bill was offered in committee.

HB 520 -- Executive Branch Pay Raise

Sponsor: Rothman

Committee Action: Reported out of Fees, Salaries and Retirement
Committee on a 9-0 vote.

Would increase the salaries of the Governor, Lieutenant Governor, Attorney General, State Auditor, State Treasurer and Secretary of State by \$1 each year. The bill would be amended to change the increase after the Citizen's Commission studying salaries makes its recommendation.

Proponents: Arguments in support of the bill are similar to those for
HB 519

Opponents: No opposition offered in committee testimony

HB 521 -- Judicial Branch Pay Raise

Sponsor: Rothman

Committee Action: Reported from Fees, Salaries and Retirement Committee
on an 8-1 avote.

Would increase the salaries of the judges of the Supreme Court and Justices

HB 40 -- Sale of Insurance by Financial Institutions

Sponsor: Mueller (62) and Mathewson

Prohibits life or health insurance agents from procuring, soliciting, negotiating, selling or servicing any life or health insurance policy as a condition for a loan made by a financial institution other than credit life or credit accident insurance. The Director of Insurance would be unable to grant or renew an insurance license if it has been used by the applicant for any purpose prohibited in the act.

Proponents: Supporters say the bill is needed to protect consumers from being pressured to purchase an insurance policy as a condition for the granting of a loan.

Opponents: No opposition to the final version offered to the committee

- HB 610, HCA 1 -- Regulation of Credit Health Accident & Life Insurance
Sponsor: Meyer, Rothman, et al

- Provides that all life and accident insurance written in connection with credit transactions will be subject to its provisions, except when the loan transaction is of more than 10 years duration. Would define extensive regulations regarding the disclosure of the provision of the insurance policies to debtors as well as payment of premiums making of claims and payment of benefits.

HB 220 -- Regulation of traffic at railroad grade crossings

Sponsor: Copeland

Committee Action: Bill reported out of Transportation Committee on
a 9-4 vote.

Bill makes it a misdemeanor for a person driving a motor vehicle who doesn't stop at railroad crossings when a warning is displayed, or when the person drives around the gate or barrier.

HB 258 -- School District Elections

Sponsor: Kenton

Committee Action: Approved by Elections Committee on a 6-0 vote.

Bill allows precincts to be combined for school board elections in urban districts or in other districts when the board of election commissioners decides to combine precincts in elections for board members. The bill would also set school board elections on the first Tuesday in April in even-numbered years, rather than the current date on the third Tuesday in January.

Proponents: Supporters point to the money which could be saved by combining school board elections and municipal elections and combining voting precincts when local elections commissioners choose to do so.

Opponents: No opposition voiced to the committee.

HB 186 -- Commercial Vehicles Stopping at Weigh Stations

Sponsor: Nilges

Committee Action: The Transportation Committee reported the bill on a 13-2 vote.

Changes the weight requirement of commercial vehicles which stop at weigh stations from the current gross weight of 6,000 pounds to 12,000 pounds.

Proponents: Supporters say many trucks stopping at highway weigh stations under the current regulations actually do not need to. The extra vehicles clog traffic at weigh stations, especially on interstate highways, creating hazardous traffic situations. A representative of the Highway Patrol testified in support of HB 186.

Opponents: No committee testimony in opposition to the bill.

HB 92 -- Intent to Defraud by Bad Checks

Sponsor: Youngdahl

Committee Action: Reported out of Civil and Criminal Justice Committee on an 11-1 vote.

Provides that a person who writes a bad check or credit note will be presumed guilty of intent to defraud if the transaction is not honored within 30 days after written notice, or 10 days after personal service of notice by the banking institution on which the check was drawn.

Proponents: Supporters say the bill is needed to correct a loophole in the current law which enables habitual writers of bad checks to evade prosecution.

Opponents: No opposition was offered in testimony before the committee.

HB 101 -- Recodification of State Election Laws

Sponsor: Downing, et al

Committee Action: Reported by the Elections Committee on a 7-0 vote,
with one member voting present.

Would replace the six election codes which apply to different areas of the state with one election code which applies to elections throughout the state. Major provisions include (1) designating one election authority in each county (two in Jackson County) to conduct all elections, (2) establishing five election days each year on which all elections, with very limited exceptions, must be held, (3) allowing voters who move from one county to another after the close of registration to vote for federal and statewide candidates by absentee ballot, (4) providing for the polls to open at 7:00 a.m., rather than 6 a.m., (5) permitting voters throughout the state to register by mail if they are unable to appear in person at a place of registry.

Proponents: Supporters say the bill is needed to eliminate the unnecessary expense, confusion and irregularities which result from conflicting, outdated and imprecise election laws.

Among those testifying in support of HB 101 were the Secretary of State, all five boards of election commissioners, Missouri County Clerks' Association, League of Women Voters and Associated Students of the University of Missouri.

Opponents: No testimony in opposition to HB 101

HB 278 -- Vacancies on Boards of Ambulance Districts

Sponsor: Baker

Requires members of boards of directors of ambulance districts to live in the district. Sets up a method of filling vacancies on boards of directors. The members may appoint qualified persons to fill the vacancies, or if they are unable to do so, the county court shall make the appointment.

HB 482 -- Deferred Compensation for Public Employees

Sponsor: Copeland

Committee Action: Governmental Organization reported bill out on a 10-0 vote.

Changes provisions in the state's deferred compensation plan which permits employees to defer part of their compensation until they reach retirement age. The benefits of the program are that it allows employees to pay taxes on their deferred compensation when their income is lower. The Internal Revenue Service regulations now provide that employees may not be required to give their approval when these funds are invested. The IRS has determined that once an employee turns funds over to the plan, he or she no longer has jurisdiction over them.

Proponents: Supporters say the bill is necessary to bring the state's deferred compensation plan into compliance with regulations of the Internal Revenue Service.

Opponents: No opposition was voiced in committee.

HB 190 -- Operation of Some Services on State Parks

Sponsor: Nilges

Committee Action: Reported by the State Parks, Recreation and Natural Resources Committee on a 17-0 vote.

The bill would eliminate the present ceiling on net profits a park concessionaire can realize from his business at state parks. The current ceiling is \$17,500.

Proponents: The \$17,500 ceiling adopted in 1967 has become outdated because of inflationary increases. Rather than continually revising the Statutes, supporters want the ceiling lifted. Also, the ceiling on net profits has a tendency to discourage individuals from bidding on concession contracts. Lifting the ceiling would attract more bidders and give them an incentive to do a better job. Testifying in support of HB 190 was the Missouri Department of Natural Resources.

Opponents: No opposition testimony offered to the committee.

HB 73, HCA 1 -- Sales Tax Exemption for Public-Owned Recreation Areas

Sponsor: Dirck, et al

Committee Action: Cleared Municipal Corporations Committee on a 6-0 vote:

Would exempt from the sales tax admission charges in a recreation area owned by a political subdivision or any agency where the individual is participating in the recreation area and is not just a spectator.

Proponents: Supporters say these facilities are financed and operated by local governments without state help. The admission charges to the local operators help pay for the facilities, and the state tax is a burden the local governments should not have to bear. Currently, the only authority for the tax is a recent opinion from the Attorney General's office. Because some local governments are paying the tax under protest, this act would save a court case, would help the municipalities and would not cost the state a significant amount of money. The bill does not affect stadium admission and spectator sports.

Opponents: None testified before the committee.

HB 255, HCA 1 -- Regulation of Practice of Psychology

Sponsor: Kostron, et al

Committee Action: Reported from License and Related Matters Committee on a 5-0 vote.

Requires persons wanting to work as psychologists in Missouri to obtain a state license from a newly-created State Committee of Psychologist Examiners. Certain educational and experience standards would have to be met. The bill sets provisions for the makeup of the board.

Proponents: Supporters say Missouri is the only state that does not license the practice of Psychology. They argue this failure to license allows unqualified persons to start a practice. Among those testifying in support of the bill were the Missouri Psychology Association and the Director of the Division of Professional Registration.

Opponents: No opposition was voiced.

HB 84 -- Regulation of Employment Agencies

Sponsor: Kenton and Kostron

Committee Action: Reported out of License and Related Matters on a 6-0 vote.

Regulates the practices of private employment agencies. The bill requires agencies to post a bond, and extensive records would have to be kept on applicants for work. It sets down specific procedures for obtaining a license to operate an employment agency, and prohibits any person from opening or maintaining an agency when the person violates the act.

HB 300 -- Police Standards Advisory Council

Sponsor: Sharp, et al

Committee Action: Reported by Governmental Review Committee on an 8-0 vote.

Creates a police standards council to aid the Director of the Department of Public Safety in adopting minimum standards and training programs for law enforcement officials. The bill allows courts to add up to \$2.00 to court costs for misdemeanor and criminal cases to pay for the police training in each county. The \$2.00 added to court costs does not include non-moving traffic violations and fish & game violations.

Proponents: Supporters say additional training for law enforcement officers will result in better service and protection for citizens. They also point out that since the bill requires establishment of training programs, the state must provide a way for local governments to finance them. This would be accomplished by the addition of \$2.00 to court costs.

Opponents: No opposing testimony was offered to the committee.

HB 102 -- Carriers Under Public Service Commission Regulation

Sponsor: Downey, et al

Would amend current statutes by eliminating from regulation by the PSC any vehicles being used exclusively to transport cotton, cotton seed and cotton seed hulls.

HB 79 -- Safety Standards For Bicycles

Sponsor: Sharp, Feigenbaum, et al

Establishes a code of safety standards regarding brakes, lamps and reflectors, and provides traffic regulations for bicycle riders. Anyone 17 years of age or older who violates the provisions would be guilty of a misdemeanor. Younger persons would have their bicycles impounded until the violations are corrected.

HB 187 -- Definition of School Attendance

Sponsor: Nilges

Committee Action: Cleared Education Committee on a 21-0 vote.

Allows part-time students to be counted in computing average daily attendance for purposes of determining a school district's eligibility for state aid. The method of computing part-time attendance is: divide the total hours attended by part-time students by the total hours in a term.

Proponents: Supporters say schools need to encourage students who cannot attend school full-time to nonetheless attend as often as possible. This pertains mostly to students over the age of 16, in their last years of high school. Under the present law, schools receive no state aid for part-time students, even though there is expense connected with educating them. In the future this may become more crucial for students enrolled in area vocational schools, since many of these students are part-time and there will be a larger number of them

Opponents: No opposition was voiced at the committee hearing.

HB 384 -- National Guard Duty by a State Employee

Sponsor: Proffer, Heflin

Committee Action: Federal-State Relations & Veterans Affairs
Committee on a 14-0 vote.

The bill provides that state employees on active duty with the National Guard will be entitled to a leave-of-absence from their work without losing credit for pay, vacation or any other rights and benefits while they are on Guard duty.

Proponents: Those in support of the bill say current law protects National Guardsmen who are public employees from loss of rights or benefits when they are called for emergency service by the Governor or Adjutant General for only 15 days of the calendar year. Some Guardsmen-public employees could stand to suffer because of their enlistment.

Testifying in support of HB 384 was the Missouri National Guard.

Opponents: No testimony in opposition given.

HB 241, HCA 1,2,3 -- Time Limits for Criminal Trials

Sponsor: O'Toole, et al

Committee Action: Reported from Judiciary Committee on an 11-2 vote.

The bill requires criminal trials to be held within 90 days of arraignment. It provides a phasing-in period of three years in which longer delays would be allowed. Trial judges would have the option of dismissing the case if the time limit provisions are not met.

Proponents: Supporters of the bill argue it is needed to ease overcrowded court dockets. Sometimes, individuals must wait six months or more for a trial. Supporters say speedy trials will reduce the number of criminals walking the streets.

Opponents: Those opposing the bill argue it would require additional public defenders, prosecutors and judges to implement the provisions. Opponents point to the higher costs involved in maintaining larger legal and judicial staffs.

HOUSE PERFECTION CALENDAR

Monday, February 14, 1977

HB 73	HB 720
HB 255	HB 341
HB 84	HCS HB 38, 219. 244
HCS HB 300	HB 457
HB 102	HCS HB 301
HB 79	HB 45
HB 187	HB 167
HB 295	HB 185
HB 384	HB 337
HB 241	HB 333
HCS HB 42, 157	HCS HB 180
HCS HB 319	HB 208
HB 707	HB 195
HB 601	HB 211
HCS HB 713	HB 479
HB 589	HB 427
HB 649	HB 57
HB 293	HB 216
HCS HB 296	HB 266
HB 90	HB 75
HB 109	HB 260
HB 253	HB 140
HB 175	HCS HB 143
HB 328	HB 331
HB 329	HCS HB 48
HB 165	

INFORMAL CALENDAR

HB 519, HB 520, HB 521,
HB 101

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HB 73, HCA 1 -- Sales Tax Exemption

Sponsor: Dirck, et al

Committee Action: Reported by Municipal Corporations
Committee on a 6-0 vote.

Would exempt from the sales tax the admission charges in a recreation area owned by a political subdivision or any agency where the individual is participation in the recreation and is not just a spectator. The bill does not affect stadium admission and spectator sports.

Proponents: Supporters say these facilities are financed and operated by local governments without state help. The admission charge to the local operators helps pay for the facilities, and the state tax is a burden the local governments should not have to bear. Currently, the only authority for the tax is a recent opinion from the Attorney General's office. Because some local governments are paying the tax under protest, this act would save a court case, would help the municipalities and would not cost the state a significant amount of money.

Testifying for HB 73, HCA 1 was the Missouri Municipal League, St. Louis Municipal League and the office of the City Attorney in Kansas City.

Opponents: No opposition presented to the committee.

HB 255, HCA 1 -- Psychologist Regulation

Sponsor: Kostron, et al

Committee Action: Reported from License and Related
Matters Committee on a 5-0 vote.

Would create a 5-member state Committee of Psychologist Examiners appointed by the Governor with the advise and consent of the Senate. The bill sets provisions for the makeup of the board and certain educational and experience standards of those to be licensed.

Proponents: Supporters say Missouri is one of four states which does not license the practice of Psychology. They argue licensing is needed to protect citizens from abuse by untrained and unscrupulous individuals who operate without proper training, experience or ethical standards. Supporters also say the bill would improve health services in rural areas which could then attract licensed Psychologists, and that the bill would reduce the cost of mental health services to all Missourians because of insurance company recognition.
Testifying for the bill were the Missouri Psychology Association and the State Division of Professional Registration.

Opponents: No opposition voice to the committee.

HB 84, HCA 1 -- Regulation of Employment Agencies

Sponsor: Kenton, Kostron

Committee Action: Reported from License and Related
Matters Committee on a 6-0 vote.

Regulates the practices of private employment agencies. The bill requires agencies to post a bond, and maintain extensive records on applicants for work. It sets down specific procedures for obtaining a license to operate an employment agency, and prohibits any person from opening or maintaining an agency when the person violates the act.

Proponents: Supporters say the bill will correct deficiencies in the operation of some employment agencies.

Opponents: No opposition voiced to committee.

HCS HB 300 -- Police Standards Advisory Council

Sponsor: Sharp. et al (HB 300)

Committee Action: Reported by Governmental Review
Committee on an 8-0 vote.

Creates a police standards council to aid the Director of the Department of Public Safety in adopting minimum standards and training programs for law enforcement officials. The bill allows courts to add up to \$2.00 to court costs for misdemeanor and criminal cases to pay for the police training in each county. The \$2.00 added to court costs does not include non-moving traffic violations and fish & game violations.

Proponents: Supporters say additional training for law enforcement officers will result in better service and protection for citizens. They also point out that since the bill requires establishment of training programs, the state must provide a way for local governments to finance them. This would be accomplished by the addition of \$2.00 to court costs.

Opponents: No opposition presented to committee.

HB 102 -- Carriers under PSC Regulation

Sponsor: Downey, et al

Committee Action: Reported from Motor Vehicles and
Traffic Regulations Committee.

Would amend current statutes by eliminating from regulation by the Public Service Commission any vehicles being used exclusively to transport cotton, cotton seed, and cotton seed hulls.

HB 79 -- Safety Standards for Bicycles

Sponsor: Sharp. Feigenbaum, et al

Committee Action: Reported from Motor Vehicles and
Traffic Regulations.

Establishes a code of safety standards regarding brakes,
lamps and reflectors, and provides traffic regulations
for bicycle riders. Anyone 17 years of age or older
who violates the provisions would be guilty of a mis-
demeanor. Younger persons would have their bicycles
impounded until the violations are corrected.

HB 187 -- Definition of School Attendance

Sponsor: Nilges

Committee Action: Cleared Education Committee on a
21-0 vote.

Allows part-time students to be counted in computing average daily attendance for purposes of determining a school district's eligibility for state aid. The method of computing part-time attendance is: divide the total hours attended by part-time students by the total hours in a term.

Proponents: Supporters say schools need to encourage students who cannot attend school full-time to nonetheless attend as often as possible. This pertains mostly to students over the age of 16, in their last years of high school. Under the present law, schools receive no state aid for part-time students, even though there is expense connected with educating them. In the future this may become more crucial for students enrolled in area vocational schools, since many of these students are part-time and there will be a larger number of them.

Opponents: No Opposition voiced to committee.

HB 295, HCA 1,2 -- Flood Plains

Sponsor: Russell (6th), et al

Committee Action: Reported from Government

Organization Committee on a 9-0 vote.

Would permit local governments to regulate flood plains by ordinance in order to comply with federal flood insurance provisions. The ordinances would apply only to flood plains or flood plain areas with special flood hazards, an area defined as having a probability of being flooded on the average of once every 100 years. Ordinances would be effective only upon approval of a majority of the landowners in the area to which it applies. Federal law requires enabling legislation by July 1, 1977. The bill contains an emergency clause.

The Federal law prohibits lending institutions from loaning money to borrowers in flood plain areas which are not covered by flood insurance. The sponsor has been advised there is little likelihood of changes in the federal law.

Proponents: Supporters say the act is necessary to comply with federal law.

Testifying for the bill were the Department of Natural Resources, State Office of Disaster Preparedness, Missouri League of Women Voters, Missouri Bankers Association and the Missouri Farm Bureau Federation.

Opponents: No opposition voiced to committee.

HB 384 -- National Guard Duty by State Employees

Sponsor: Proffer, Heflin

Committee Action: Reported by Federal-State Relations
& Veterans Affairs Committee on a 14-0 vote.

The bill provides that state employees on active duty with the National Guard will be entitled to a leave-of-absence from their work without losing credit for pay, vacation or any other rights and benefits while they are on Guard duty.

Proponents: Supporters say current law protects National Guardsmen who are public employees from loss of rights or benefits when they are called for emergency service by the Governor or Adjutant General for only 15 days of the calendar year. Some Guardsmen-public employees could stand to suffer because of their enlistment.

Testifying for HB 384 was the Missouri National Guard.

Opponents: No testimony in opposition presented.

HB 241, HCA 1,2,3 -- Time Limits for Criminal Trials

Sponsor: O;Toole, et al

Committee Action: Reported from Judiciary Committee
on an 11-2 vote.

The bill requires criminal trials to be held within 90 days of arraignment. It provides a phasing-in period of three years in which longer delays would be allowed. Trial Judges would have the option of dismissing the case if the time limit provisions are not met.

Proponents: Supporters argue the bill is needed to ease overcrowded court dockets. Sometimes, individuals must wait six months or more for a trial. Supporters say speedy trials will reduce the number of criminals walking the streets.

Opponents: Those opposing the bill argue it would require additional public defenders, prosecutors and judges to implement the provisions. Opponents point to the higher costs involved in maintaining larger legal and judicial staffs.

HCS HB 42, 157 -- Powers of the Public Counsel

Sponsor: Mueller (62) et al(HB 42)- Sweeney(HB 157)
Committee Action: Reported from the Consumer
Protection Committee on a 10-1 vote.

The bill modifies chapter 386 in three major areas:
(1) Public Counsel is given clear statutory standing as an office in the Department of Consumer Affairs. The powers of the Public Counsel include: right to hire staff, have full access to PSC files, initiate proceedings before the PSC, and to appeal decisions of the PSC. The office is financed in the same manner as the PSC is presently financed. (2) The office of General Counsel to the PSC is given definition. (3) The courts are given the power to require utilities to post bonds to cover the amount of rate increases under appeal. Penalties are provided for any utility or employee of a utility who offers a position or gift to any official or employee of the PSC or the office of Public Counsel.

Proponents: Supporters want to give clear definition to the duties and powers of the Public Counsel and to strengthen those powers. They also want to enable appeals to be made to the PSC rulings by a state official.

Testifying for the bill was William Bavrick, Public Counsel.

Opponents: Those opposing the bill say it gives the Public Counsel too much power, and these powers will be ineffectual in holding down utility rate increases. Testifying against the bill were representatives from Motorfreight Companies, Southwestern Bell and Union Electric.

HCS HB 319 -- Presidential Preference Primary

Sponsor: Lynn (HB 319)

Committee Action: Reported from the Elections
Committee on a 7-0 vote.

Would provide a statewide presidential preference primary to be held on the first Tuesday in April. On or before February 16th, the Secretary of State would announce the official list of presidential candidates. The bill sets provisions regarding the allocation of congressional district delegates and state at-large delegates.

Proponents: Supporters argue a primary could increase voter participation and interest in the election process, would attract national attention for the state, would generate revenue and is favored by a majority of Missourians.

Testifying for the bill were an aide to Governor Teasdale, Rep. C.F. Cline and Bill Kemmins, a resident of Bolivar, Missouri.

Opponents: Those opposing a presidential primary argue that the cost is too high. They also say that because 30 other states have the primary, the arguments that it would bring money, national attention and influence to the state are weakened.

Testifying against the bill was Secretary of State James Kirkpatrick.

HB 707, HCA 1,2,3,4,5,6 -- Unemployment Compensation

Sponsor: Riley

Committee Action: Reported from Employment Security and
Fair Employment Practices Committee on an 8-0 vote.

The bill would make Missouri's law conform with the federal law as amended in 1976 by Public Law 94-566. The bill would increase the unemployment insurance wage tax base from \$4,500 to \$6,000. The act would extend coverage of the employment program to persons not now included in the state program and provide for the denial of benefits to certain others.

Proponents: Supporters say if the bill is not approved to conform with federal law, Missouri business would have to pay about \$190-million a year in additional federal tax, which would not be returned to the state in any way. In addition, the state would lose grants and have to produce about \$40-million annually for administration of the programs.

Testifying for the bill was the State Division of Employment Security.

Opponents: No opposition to the amended version.

HB 601, HCA 1 -- Child Enforcement Act

Sponsor: Curls, Wheat, et al

Committee Action: Reported from Social Services and
Medicaid Committee on a 9-0 vote.

Would require, as a condition of eligibility for Aid to Dependent Children benefits, that recipients assign their rights to support from absent parents to the state. Would require the state to establish a program for the collection of support payments from absent parents, and provide that benefit payments be based on a percentage of need as determined by the Division of Family Services. The bill allows benefits to be paid to dependents over the age of 18 but under 21 if they are attending school. No more than \$20 will be charged a non recipient when making an application to the Division of Family Services for child support enforcement. Fees may be deducted from the support money recovered.

Proponents: Supporters say the bill is necessary to meet federal laws to secure support from the absent responsible parent of recipients.

Testifying for the bill were the Kansas City Circuit Court Association, Southside Welfare Rights Organization, St. Louis United Hunger Effort and the State Division of Family Services.

Opponents: No opposition voiced to committee.

HCS HB 713 -- Workmen's Compensation Fund

Sponsor: Barry

Committee Action: Reported from Workmen's Compensation Committee on a 7-2 vote.

Would revise weekly benefits for workmen's compensation in this manner.

	<u>Current</u>	<u>Proposed</u>
Physical Rehabilitation Benefits:	\$21	\$ 35
Compensation for Disability	95	115
Temporary Total Disability	95	115
Temporary Partial Disability	95	115
Permanent Partial Disability	80	90
Permanent Total Disability	95	115
Death Benefits for Total Dependents	95	115

Proponents: Supporters say the bill is need to comply with federal recommendations and to help offset the effects of inflation. All of the major provisions are included in the report of the National Committee on State Workmen's Compensation Laws.

Opponents: Associated Industries supports the bill, but with these reservations: payments on permanent partial disability are too high, there should be a limit on death benefits payable to dependents and there should be a provision for Social Security offset.

HB 589, HCA 1 -- Radiation Protection Act

Sponsor: Russell (6)

Committee Action: Reported from the Atomic Energy & Industrial Development Committee on a 7-0 vote.

The bill gives the Department of Natural Resources the responsibility for the regulation of radioactive material and the sources of radiation. Currently, the authority rests with the Division of Health. The bill strengthens the regulation and licensing of persons possessing or using sources of radiation.

Proponents: Supporters say the bill is needed because some sources of radiation are not regulated for the protection of the public. The bill would also permit Missouri to enter into a compact with the Federal government concerning the regulation of nuclear material.

Testifying for the bill were the Department of Natural Resources, and the Menorah Center (Kansas City).

Opponents: No opposition presented to the committee.

HB 649, HCA 1 -- Control of Noxious Weeds

Sponsor: Maloney, Patterson
Committee Action: Reported from Agriculture
Committee on 13-6 vote.

Would enact the Missouri Noxious Weed Act which would be enforced in counties with a majority vote approval of the residents. The act would be administered by the Department of Agriculture.

Proponents: Supporters say a catch-all act is needed to control various noxious weeds which are annoying and harmful to farmers and landowners.

Opponents: No testimony in opposition.

— HB 293, HCA 1 -- Declaring Multiflora Rose a Noxious
Weed

Sponsor: Russell (6), Osburn, Usher

Committee Action: Reported from Agriculture Committee
on an 18-2 vote.

— Declares that the multiflora rose is a noxious and dangerous weed harmful to agriculture. It forbids state departments or agencies from distributing the plant. The bill carries penalty provisions, and violation of the act would be a misdemeanor.

Proponents: Supporters of the bill say it is necessary to halt the spreading of the multiflora rose which grows wild in rural areas in fence rows, along roads, railroad track beds, highways, etc. The rose is felt to be a general nuisance to farmers.

Testifying for the bill were the Missouri Farm Bureau and the National Farmers Organization.

— Opponents: No opposition was voiced to the committee.

HCS HB 296 -- Energy Authority Act

Sponsor: Russell (6) (HB 296)

Committee Action: Reported by the Atomic Energy & Industrial Development Committee on a 5-0 vote.

Creates a bipartisan Energy Resources Authority composed of 6 members appointed by the Governor with the advise and consent of the Senate. Two members would represent the public, two from the energy-intensive industry, and two who are experts in energy research and development. The Authority would coordinate and plan for state-funded energy reasearch, development and demonstration projects. A special fund would be established through donations, grants and legislative appropriations. The authority would be allowed to issue revenue bonds to a maximum of \$50-million to finance research into alternative sources of energy and development of short-range solutions.

Proponents: Supporters say the bill is needed to boost research and development in the energy field. This, they say, would help avoid future shortages. Testifying for the bill were the Governor's office, Department of Natural Resources, Academicians from Washington University and Missouri University, Treasurer James Spainhower and the Missouri State Geologist.

Opponents: No opposition presented to the committee.

HB 90, HCA 1,2 -- Capital Punishment

Sponsor: Griffin, et al

Committee Action: Reported from the Judiciary Committee.

This comprehensive bill would replace a statute which is still in effect but similar to one voided by the United States Supreme Court. Capital murder would be defined as one guilty of "unlawfully, willfully, knowingly, deliberately, and with premeditation kills or causes the killing of another human being." Ten specific categories of crime are included. The bill also provides for a two-stage trial: (1) the judge or jury would have the alternative of finding the defendant guilty of a lesser degree of homicide, (2) if the defendant is found guilty of capital murder, the prosecution and defense could argue mitigating circumstances before the court determines punishment.

(A supplement with additional information upcoming.)

HB 109 HCA 1 -- Powers of Transportation Department

Sponsor: Holt

Committee Action: Reported from Transportation Committee

Would permit the Department of Transportation to hold hearings, accept grants and enter into contracts with government agencies and private companies.

Proponents: Supporters say the act would simplify the current process whereby the Transportation Department must go through other state agencies to obtain approval of grants and contracts.

Testifying for the bill was the Transportation Department.

HB 253, HCA 1 -- Retirement Systems

Sponsor: Marriot, Ellis, et al

Committee Action: Reported from the Fees, Salaries
and Retirement Committee on a 10-0 vote.

Provides that special consultants of the Missouri State Employees' retirement system and the Highway Employees' and Highway Patrol Retirement system give a statement, upon request of the board of trustees of each of these retirement systems, on the problems of retirement under the current monthly benefits. As Compensation, the special consultant shall receive the same benefit increase received by employees of the state under the merit system.

Proponents: Supporters say the bill be a vehicle for adjusting retirement benefits, which, it is argued, are much too low.

Testifying for the bill was the Association of Retired Missouri State Employees.

Opponents: No opposition voiced to the committee.

HB 175 -- Testimony of Religious Leaders

Sponsor: McCubbin, Lynn

Committee Action: Reported from Civil & Criminal
Justice Committee on a 9-0 vote.

This bill provides that information obtained by a minister, priest or rabbi on communication in his professional capacity as spiritual advisor, counselor or consultant will be exempt from any court testimony.

Proponents: Supporters say the bill is needed to allow for more freedom on communication between persons and their religious counselors.

Testifying for the bill was the Missouri Association of Baptist Ministers.

Opponents: No opposition presented to the committee.

HB 328, HCA 1 -- Numbering of Election Ballots

Sponsor: Mead, Downing, Usher, et al

Committee Action: Reported from Elections Committee
on an 8-0 vote.

Provides for an emergency clause to remove the black stickers from election ballots.

Proponents: Supporters point to the fact that marking a number on the ballot which is then recorded beside the voter's name has been declared unconstitutional. Therefore, they say, the black stickers to cover the numbers are no longer needed.

Testifying for the bill was Secretary of State James Kirkpatrick, Missouri Association of Counties, and the St. Louis Director of Elections.

Opponents: No opposition presented to the committee.

HB 329 -- Political Subdivisions under Contract

Sponsor: Mead, Griffin, et al

Committee Action: Reported from Municipal Corporations Committee on a 6-0 vote.

Bill broadens the powers of local governments to enter into agreements with other local governments. The bill would allow two or more local governments to enter into any agreement about a matter in which one has statutorily-granted power without requiring the others to seek special legislation to obtain the power they would need to enter into the agreement. The bill requires that public hearings be advertised and held in each local government involved prior to entering into any such agreement.

Proponents: Supporters say the bill would give statutory powers to agreements that are now sometimes entered into by local governments.

Testifying for the bill was the Missouri Association of Municipal Governments and Missouri Association of Counties.

Opponents: No opposition voiced to the committee

HB 165 HCA 1 -- Coverage of City Sales Tax Act

Sponsor: Smith (46)

Committee Action: Reported from Municipal Corporations
Committee on a 6-0 vote.

Permits all cities of any size to enact a sales tax if they so desire. Current law excludes cities with a population of less than 500 persons.

Proponents: Supporters say the bill provides more
taxing power at the local level.

Opponents: No opposition presented to the committee.

HB 720 -- Inventories of State Property

Sponsor: Shear

Committee Action: Reported from the State Institutions
and Property Committee on a 7-0 vote.

Would provide that state departments and agencies must tag and inventory only non-expendable property of a value to be set by the state auditor. Present law requires that all items worth at least \$10 be marked and inventoried.

Proponents: The present law is more costly because every item costing more than \$10 must be assessed and accounted for.

Testifying for the bill was Jim Antonia, the Deputy State Auditor and Raymond Moore, Director of Purchasing.

Opponents: None presented to the committee.

HB 341 -- Decriminalization of Public Drunkenness

Sponsor: Schlef

Committee Action: Reported from the Civil and
Criminal Justice Committee on an 8-1 vote.

The bill provides that local governments shall not be allowed to make public intoxication illegal without the showing of some other criminal act, unless the person is drunk in a schoolhouse, church or courthouse.

Proponents: Supporters of the bill argue that public policy should be changed to treat alcoholism as a sickness rather than a crime.

Testifying for the bill was the Missouri State Council on Alcoholism and Drug Abuse.

Opponents: Those opposing the bill argued that some measures must be taken to control public drunkenness, but that decriminalizing the act leaves a void.

HCS HB 38, 219, 244 -- Classification of Counties

Sponsor: Hamlett (HB 38), Copeland (HB 219),
Garrett (HB 244)

Committee Action: Reported from Government
Organization Committee on a 9-0 vote.

Counties would automatically move to first class status if their assessed valuation is \$400-million. If the assessed valuation is \$300-million or more, the residents of the county could vote on whether or not they wished to move from second to first-class status. Counties would automatically move from 3rd to 2nd class if their assessed valuation rose to \$125-million. Counties with an evaluation between \$10-million and valuation necessary to move to second-class would become third class counties.

Proponents: Supporters say the bill is necessary to prevent financial burdens on counties which will be required to change classification.

Testifying for the bill was the presiding judge of Audrain County.

Opponents: No Opposition presented to committee.

HB 457, HCA 1,2,3 -- Soil and Water Conservation
Subdistricts

Sponsor: Sharpe, et al

Committee Action: Reported from the Agriculture
Committee on a 25-0 vote.

The bill would amend current statutes by setting forth in detail provisions relating to the establishment, organization or financing of soil and water conservation subdistricts. The bill allows the trustees of the subdistricts to conduct business which then must be approved by the governing soil and water conservation districts.

Proponents: Supporters want subdistrict soil and water conservation districts to have more input into decision-making, and make the problems of getting a quorum of members to conduct business easier.

Testifying for the bill was the Missouri Farm Bureau, National Farmer's Organization, State Soil and Water Conservation Commission, and several members of local watershed districts.

Opponents: No opposition voiced to the committee.

HCS HB 301 -- Salary of Board of Election
Commissioners

Sponsor: Dirck (301)

Committee Action: Reported from Elections
Committee on a 7-0 vote.

Would increase the salaries of personnel of the St. Louis County Board of Elections Commissioners. Top officials would have their pay raised from the current \$17,000 per year to \$22,000. The pay of election clerks and judges would go from to \$25 to \$27. The bill provides that the Board establish compensation and classify the positions for its permanent and temporary staff at the rates and classifications under the county's merit system.

Proponents: Supporters say the bill would allow the Board to set pay schedules without going through the General Assembly, which is now the case.

Opponents: No opposition presented to committee.

HB 45 -- Voter Registration in St. Louis City

Sponsor: Mueller (62), Sweeney
Committee Action: Reported from Urban Affairs
Committee on a 7-2 vote.

The bill repeals a section of the law relating to voter registration, and enacts a new section relating to the same subject. The bill authorizes the St. Louis City Board of Election Commissioners to deputize school and library employees so that potential voters may register at public libraries and schools. The Board will not pay rental fees to the schools and libraries for this service, nor will the Board neglect to pay deputy registration officers who are regular employees of the public school systems or libraries.

Proponents: Supporters say the bill would make registering to vote in the City of St. Louis more convenient for large numbers of potential voters. St. Louis County, they say, already has a successful program similar to the one outlined for the city in this bill.

Testifying for the bill were the St. Louis Board of Election Commissioners, St. Louis Public Schools, St. Louis Public Library and the City of St. Louis.

Opponents: No formal opposition, however questions were raised in committee about the potential burdens this bill would place on school and library employees, and whether these employees would as a result, request pay hikes.

HB 167, HCA 1 -- Licensing and Regulation of Grain
Dealers

Sponsor: Kaye, et al

Committee Action: Reported from the Agriculture
Committee on a 20-0 vote.

The bill would empower the director of the Department of Agriculture to exercise general supervision over the operation of grain dealers, and give him the authorization to adopt rules and regulations for this purpose. The bill also would require that grain dealers have a license at a cost of \$50 per year plus registration.

Proponents: Supporters say the bill would make it easier for the Agriculture Department to supervise and regulate grain dealers.

Testifying for the bill were the Department of Agriculture, Missouri Farmers Association and the National Farmer's Organization.

Opponents: No opposition voiced to committee.

HB 185 -- Sales by the Highway Department

Sponsor: Nilges

Committee Action: Reported from the Transportation
Committee on a 7-0 vote.

The bill would permit Highway Department employees to purchase surplus tools or equipment from the Highway Department when the sales are made at public sale open to the general public.

Proponents: Supporters of the bill point out that Highway Department employees are the only state employees who cannot bid on an object at public auction held by the Highway Department. Supporters say these employees are unjustly discriminated against.

Testifying for the bill was the State Director of Purchasing.

Opponents: No opposition voiced to committee.

HB 337 -- Jury Compensation

Sponsor: Schlef

Committee Action: Reported from the Labor
Committee on a 12-1 vote.

Would raise the per-mile travel expense paid to jurors from 7-cents to 12-cents. The bill would also require employers to pay employees called to jury duty the usual compensation less jury pay for up to 15 days of jury service.

Proponents: Supporters say the bill will make it financially possible for more persons to participate in the jury system. They argue it will enable a jury to more closely represent a particular defendant's peers.

Testifying for the bill were the Teamsters Union and the Missouri State Labor Council.

Opponents: Those opposing the bill argue it would place too much burden on employers to pay their workers regular salaries while they were away from the job on jury duty.

Testifying against the bill was Associated Industries.

HB 333 -- Check-Off for Public Employee Union Dues

Sponsor: Schlef

Committee Action: Reported from Labor Committee on
a 13-0 vote.

Bill would allow the Office of Administration to deduct from the pay of state employees collective bargaining dues if the employee is a member of a collective bargaining organization.

Proponents: Supporters say the bill would simplify the procedure for the members of such organizations, and eliminate the need for each member to pay their dues separately.

Testifying for the bill was the American Federation of State, County and Municipal Employees and the Missouri State Labor Council.

Opponents: No opposition voiced to the committee.

HCS JB 180 -- Investment Income from Circuit Court
Funding

Sponsor: Rollins

Committee Action: Reported from Civil and Criminal
Justice Committee on a 9-0 vote.

The bill would allow circuit clerks to purchase office equipment with income from savings accounts into which registry funds are deposited.

Proponents: Supporters say sums of money gained by the circuit clerks under the operation of the present statute could better be used for supplies and equipment than first sending the money to the county general fund. Double accounting would be avoided.

Opponents: No opposition voiced to the committee.

HB 208, HCA 1 -- Sheriff's Compensation

Sponsor: Mathewson

Committee Action: Reported from Fees, Salaries
and Retirement Committee on a 10-0 vote.

The bill would raise the pay of sheriffs in 3rd class counties with an assessed valuation of less than \$10-million from the current pay level of \$10,000 to \$12,000. Would require sheriffs in all counties, except those with a charter form of government, to conduct a personal property identification program involving the engraving of owner's numbers on their property. Sheriffs would receive pay increases ranging from \$4,000 a year in the City of St. Louis to \$1,500 in 4th class counties for performing those duties.

Proponents: Supporters say sheriffs work long, hard hours and are not paid enough to provide an adequate standard of living.

Testifying for the bill were the sheriffs of Pettis County, the City of St. Louis and Greene County, and the Missouri Sheriff's Association.

Opponents: No opposition voiced to the committee.

HB 195 -- Police Pension Systems

Sponsor: Randall

Committee Action: Reported from the Fees, Salaries
and Retirement Committee on a 7-4 vote.

Would authorize the establishment of police pension systems in any city with a population of more than 50,000 located in a 2nd class county which adjoins another 2nd class county containing part of a city with a population of more than 450,000. Presently, such pension systems can only be set up in first-class counties. Would increase from 5% to 10% the assessment that could be levied on police pension fund members. Members with more than five years of payments into the pension fund could be placed on a disability pension. Members with 20 years service, rather than 25, would retire with a reduced pension. Would also increase the death benefits.

Proponents: Supporters want the pension system broadened to more adequately reflect the professional responsibilities and needs of police officers.

Opponents: Those opposing the bill argue it needs and actuarial study.
Testifying against the bill was Rep. Don Silcott.

HB 211, HCA 1,2 -- Regulation of Ophthalmic Devices

Sponsor: Mathewson

Committee Action: Reported from License and
Related Matters Committee on a 6-1 vote.

Would require a license to dispense such ophthalmic devices as eyeglasses. The bill requires that rules and regulations be approved by the General Assembly, and it broadens the suspension and revocation of licenses.

Proponents: Supporters say consumers would be better protected if dispensers of ophthalmic devices were licensed and regulated.

Opponents: Those opposing the bill argue it would limit the number of retail outlets of ophthalmic dispensers, that it doesn't license manufacturing opticians, and it does not provide technical expertise to regulate.

Testifying against the bill were the Missouri Retailers Association and the Board of Professional Registration.

HB 479, HCA 1 -- Director of Veteran's Affairs

Sponsor: Proffer

Committee Action: Reported from Federal-State
Relations and Veteran's Affairs Committee.

Would revise statutes relating to the appointment compensation and powers of the Director of Veterans Affairs. Would abolish the Veteran's Advisory Committee and create instead a veteran's board within the Department of Social Services.

Proponents: Supporters say the bill is needed to bring statutes up to date with the existing situation. Gives some duties to the Veterans Advisory Board which currently has none.

HB 427 -- Criminal Incarceration

Sponsor: Kostron, et al

Committee Action: Reported from Local Government
and Related Matters Committee on a 14-0 vote.

Would provide that the state is to pay the cost of incarceration, including a reasonable sum to cover occupancy costs, in criminal cases. The present law uses only the term "board" to describe what the state must pay. The state would pay up to \$8 a day for each prisoner housed in county jails.

Proponents: Supporters argue the bill would save local government money for the incarceration of criminal offenders. They say bill is needed to end legal problems that have arisen since the of more state aid for county jail operations. Testifying for the bill were the Missouri Association of Counties, Jackson County Counselor and the City of St. Louis.

Opponents: No opposition voiced to committee.

HB, HCA -- Sale of Intoxicating Beverages

Sponsor: Blassie

Committee Action: Reported from the Local Governments and Related Matters Committee on a 14-0 vote, with one voting present.

Would permit establishments licensed to sell liquor-by-the-drink to stay open weekdays until 4:a.m. if they obtain a special permit from the supervisor of liquor control. This would apply in cities of over 400,000 population and in cities in first-class counties. Permits could not be issued until the city in which the establishment is located has adopted the provisions of this act.

Proponents: Supporters argue the bill would promote tourist and convention trade.

Testifying for the bill were the St. Louis Regional Commerce & Growth Association, Kansas City Conventions Bureau, Missouri Hotel & Motel Association, St. Louis Small Tavern Owners Association, and a representative of Anheuser Busch.

Opponents: No opposition presented to the committee

HB 216 -- Fire Protection Districts

Sponsor: Smith (46), et al

Committee Action: Reported from local Government
and Related Matters Committee on a 14-0 vote.

Would permit fire protection districts to levy an
additional tax to be used to support the district.

Proponents: Supporters say the bill would reduce
the rates of insurance and help provide better
service.

Testifying for the bill was the fire chief of
Robertson, Missouri.

Opponents: No opposition voiced to the committee.

HB 266 -- Temporary Caterers' Licenses

Sponsor: Blassie, Fazzino

Committee Action: Reported from local Government
and Related Matters Committee on a 14-0 vote.

Would permit the issuance of a temporary permit for the sale of intoxicating beverages at particular functions, occasions or events. The permits would be good for not more than 120 consecutive hours, and would be issued only to persons or caterers who are furnishing provisions and services for the function or event.

Proponents: Supporters argue the caterer would be able to compete for business and complete the banquet facilities for conventions.

Testifying for the bill was the Kansas City Conventioners Bureau.

Opponents: No opposition voiced to the committee.

HB 75, HCA 1 -- Loading Railroad Flat Cars

Sponsor: Dirck, et al

Committee Action: Reported from Employment Security & Fair Employment Practices Committee on a 6-2 vote.

Would restrict the type of freight to be located directly behind a locomotive or directly in front of an occupied caboose. The restrictions would not apply to in-yard switching. The penalty for any violation shall be a fine of not less than \$100 nor more than \$2,000.

Proponents: Supporters say the bill provides needed safety features for employees of railroads.

Testifying for the bill were the United Transportation Union Brotherhood of Locomotive Engineers and the Missouri Railroad Committee.

Opponents: No opposition voiced to the committee.

HB 260 -- School Board Lobbying

Sponsor: Kenton

Committee Action: Reported from Education
Committee.

The bill removes the prohibition against the Missouri School Board's Association from using its funds to influence legislation before the General Assembly.

Proponents: Supporters say the Association should be allowed to present its views to the legislature.

Opponents: No opposition voiced to the committee.

HB 140, HCA 1 -- State Seal

Sponsor: Goode

Committee Action: Reported from Government
Organization Committee on a 9-0 vote.

Would prohibit persons who do not officially represent the State of Missouri as elected or appointed officials or any political subdivision of the state from using the state seal. Any person who fraudulently represents himself as an elected or appointed official and uses the state seal would be guilty of a misdemeanor. Would also prohibit the unauthorized use of the state seal on any certificate or document, such as automobile titles, or driver's licenses.

Proponents: Supporters say the bill is needed to prevent use of the seal by unauthorized persons.

Opponents: No opposition voiced to the committee.

HCS HB 143 -- Employment of Members of the General
Assembly

Sponsor: Park (HB 143)

Committee Action: Reported from Employment Security & Fair Employment Practices Committee on a 7-0 vote.

Would provide that any person who is elected to the General Assembly, shall be granted a leave-of-absence from his or her employment during the term of office. However, while on leave of employment the accumulation of seniority and remuneration shall be suspended.

Proponents: Supporters say the bill would protect any seniority, rights or benefits previously accumulated by the individual on leave.

Testifying for the bill were the Missouri Education Association and the Missouri State Teachers Association.

Opponents: No opposition voiced to the committee.

HB 331, HCA 1 -- Issuance of Revenue Bonds

Sponsor: Riley, et al

Committee Action: Reported by the Consumer
Protection Committee

The bill enumerates the powers and duties of joint boards, commissioners or officers established by joint contracts between political subdivisions. The issuance of bonds by such boards is regulated, and voter approval of bond issues is required. The act will not be effective until passage of a constitutional amendment (HJR 21).

Proponents: Supporters want the powers and duties of joint boards formed between political subdivisions for the purpose of issuing bonds for the financing utilities, plants and airports. They say the pooling of resources will bring more economical services to the cooperating political subdivisions.

Testifying for the bill were the Commission for Municipal Pooling Services, Missouri Association of Municipal Utilities, Association of Missouri Electric Cooperatives.

Opponents: The Missouri Public Service Commission.

HCS HB 48 -- Investments by Credit Unions

Sponsor: Mueller (62)

Committee Action: Reported from Consumer
Protection Committee on a 13-0 vote.

Allows the establishment of credit union share guaranty corporations to insure member's shares, and the establishment of central credit unions whose members will be credit unions. Gives credit unions the power to join electronic funds transfer systems, to recover expenses in sponsoring group insurance plans, and to use powers granted to federal credit unions where they are at variance with state powers. The bill increases the surcharge credit unions pay to the state to cover the cost of reaulation. It also increases the unsecured loan limit to \$5,000 and allows interest refunds.

Proponents: Supporters say the bill is needed to upgrade statutory language dealing with credit unions and to strengthen credit unions.
Testifying for the bill was the Missouri Credit Union League.

Opponents: Those opposing the bill argue it gives credit unions almost as many powers as banks now enjoy.
Testifying against the bill was the Missouri Banker's Association.

INFORMAL CALENDAR FOR PERFECTION

HB 519 -- State Legislator's Pay Raise

Sponsor: Rothman

Committee Action: Reported from Fees, Salaries and Retirement Committee on an 8-1 vote.

Would increase the salaries of members of the General Assembly from \$8,400 per year to \$8,401. The \$1 increase would be amended after the Citizens' Commission studying state official's salaries makes its recommendations.

Proponents: Supporters of the bill argue the pay received by legislators is not enough to compensate them for the time and cost spent on legislative business. In addition, some members have been forced to leave politics for economic reasons, and other individuals have been discouraged from seeking office because of the salary level.

Opponents: No opposition voiced to the committee.

HB 520 -- Executive Branch Pay Raise

Sponsor: Rothman

Committee Action: Reported from Fees, Salaries and Retirement Committee on a 9-0 vote.

Would increase the salaries of the Governor, Lieutenant Governor, Attorney General, State Auditor, State Treasurer and Secretary of State by \$1 each year. The bill would be amended to change the increase after the Citizen's Commission studying salaries makes its recommendation.

Proponents: Arguments in support of the bill are similar to those for HB 519.

Opponents: No opposition voiced to committee.

HB 521 -- Judicial Branch Pay Raise

Sponsor: Rothman

Committee Action: Reported from Fees, Salaries and Retirement Committee on an 8-1 vote.

Would increase the salaries of the judges of the Supreme Court, judges of the Appellate Court and judges of the circuit court by \$1 per year. The increase would be adjusted after recommendations are received from the citizen's committee studying state official's salaries.

Proponents: Arguments in support of the bill are similar to those for HB 519 and HB 520.

Opponents: No opposition voiced to committee.

HB 101, HCA 1,2,3,4,5,6,7,8,9,10,11,12,13,14 --
Recodification of State Election Laws

Sponsor: Downing, et al

Committee Action: Reported from the Elections

Committee on a 7-0 vote, with one member voting present.

Would replace the six election codes which apply to different areas of the state with one election code which applies to elections throughout the state. Major provisions include (1) designating one election authority in each county (two in Jackson County) to conduct all elections, (2) establishing five election days each year on which all elections, with very limited exceptions, must be held, (3) allowing voters who move from one county to another after the close of registration to vote for federal and statewide candidates by absentee ballot, (4) providing for the polls to open at 7:00 a.m. rather than 6:00 a.m. (5) permitting voters throughout the state to register by mail if they are unable to appear in person at a place of registry.

Proponents: Supporters say the bill is needed to eliminate the unnecessary expense, confusion, and irregularities which result from conflicting outdated and imprecise election laws.

Testifying for the bill were the Secretary of State, all five boards of election commissioners, Missouri County Clerk's Association, League of Women Voters and Associated Students of the University of Missouri.

Opponents: No testimony in opposition.

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* This edition contains corrected or amended synopsis of the indicated bills. The page numbers of synopsis requiring changes are listed so that you may update this calendar with the new material. Please destroy original page.

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HB 90, HCA 1,2 -- Capital Punishment

Sponsor: Griffin, et al

Committee Action: Reported from the Judiciary
Committee on a 10-3 vote.

This comprehensive bill would replace a statute which is still in effect but similar to one voided by the United States Supreme Court. Capital murder would be defined as one guilty of "unlawfully, willfully, knowingly, deliberately, and with premeditation kills or causes the killing of another human being." Ten specific categories of crime are included. Once the defendant is found guilty of capital murder in the first part of a two-part trial, the bill would refine at least one of ten statutory aggravating circumstances to be considered before the death penalty could be imposed in the second phase of the trial. The bill also provides for review by the Missouri Supreme Court of the penalty imposed, as required by the United States Supreme Court.

Proponents: Those supporting HB 90 believe it to be constitutional, argue that capital punishment is an effective deterrent against crime, and that it provides the only satisfactory form of protection for law enforcement and corrections officers, elected officials and the public.

Testifying for the bill was the Attorney General John Ashcroft and Warden Don Wyrick of the Missouri Penitentiary.

Opponents: Those testifying against the bill argue that capital punishment is not a deterrent against crime, that no punishment should be irreversible and that vengeance does not cure the underlining reasons or causes for murder.

Testifying against HB 90 were the American Civil Liberties Union, the Rev. W.D. Stickney of the Episcopal Church of St. Louis, Social Concerns of Jefferson City, and six private citizens.

HB 45 -- Voter Registraion in St. Louis City

Sponsor: Mueller (62), Sweeney

Committee Action: Reported from Urban Affairs
Committee on a 8-2 vote.

The bill repeals a section of the law relating to voter registration, and enacts a new section relating to the same subject. The bill authorizes the St. Louis City Board of Election Commissioners to deputize school and library employees so that potential voters may register at public libraries and schools. The Board will not pay rental fees to the schools and libraries for this service, nor will the Board pay deputy registration officers who are regular employees of the public school systems of libraries.

Proponents: Supporters say the bill would make registering to vote in the City of St. Louis more convenient for large numbers of potential voters. St. Louis County, they say, already has a successful program similar to the one outlined for the City in this bill.

Testifying for the bill were the St. Louis Board of Election Commissioners, St. Louis Public Schools, St. Louis Library and the City of St. Louis.

Opponents: No formal opposition, however questions were raised in committee about the potential burdens this bill would place on school and library employees, and whether these employees would, as a result, request pay hikes.

HB 211, HCA 1,2 -- Regulation of Ophthalmic Devices

Sponsor: Mathewson

Committee Action: Reported from License and Related
Matters Committee on a 6-0 vote.

Would require a license to dispense such ophthalmic devices as eyeglasses. The bill requires that rules and regulations be approved by the General Assembly, and it broadens the suspension and revocation of licenses.

Proponents: Supporters say consumers would be better protected if dispensers of ophthalmic devices were licensed and regulated.

Opponents: Those opposing the bill argue it would limit the number of retail outlets of ophthalmic dispensers, that it doesn't license manufacturing opticians, and it does not provide technical expertise to regulate.

Testifying against the bill were the Missouri Retailers Association and the Board of Professional Registration.

HB 331, HCA 1 -- Issuance of Revenue Bonds

Sponsor: Riley, et al

Committee Action: Reported from Consumer Protection
Committee on a 16-0 vote.

This bill enumerates the powers and duties of joint boards, commissioners or officers established by joint contracts between political subdivisions. The issuance of bonds by such boards is regulated, and voter approval of bond issues is required. The act will not be effective until passage of a constitutional amendment (HJR 21).

Proponents: Supporters want the powers and duties of joint boards formed between political and subdivisions for the purpose of issuing bonds for the financing of utilities, plants and airports. They say the pooling of resources will bring more economical services to the cooperating political subdivisions.

Testifying for the bill were the Commission for Municipal Pooling Services, Missouri Association of Municipal Utilities, Association of Missouri Electric Cooperatives.

Opponents: Those who oppose the bill argue municipal pooling of utility services will duplicate already existing public utility services and will constitute unregulated competition with them.

Testifying against the bill was the Missouri Public Service Company.

HJR 8 -- Sweepstakes, Lotteries

Sponsor: Youngdahl

Committee Action: Reported from Civil and Criminal
Justice Committee on a 7-3 vote.

Would allow the people to decide if they want to allow sweepstakes where no consideration is required to enter. The sweepstakes involved are not true lotteries, but rather such types as the "Reader's Digest" sweepstakes where those entering may do so without wagering or buying anything.

Proponents: Supporters say the public should have a chance to vote on the issue of whether or not sweepstakes should be allowed in Missouri. Often, Missourians are informed that they have, or would have, won a sweepstakes prize, but that the prize cannot be awarded because of state law.

Opponents: Opponents say the bill has the connotation of legalized gambling, and enacting it would open the door to legalized gambling.

Testifying against the bill was the Christian Civic Foundation.

HCS HB 248 -- Livestock Dealer Law

Sponsor: Osbourn, Usher and Howard
Committee Action: Reported from Agriculture
Committee on a 25-0 vote.

Bill would require livestock dealers to make and retain written livestock health records in the form and manner prescribed by the State Veterinarian. The bill does not require livestock dealers to be licensed. The bill also gives the State Veterinarian the right to obtain the livestock health records from the livestock dealers. Any person who violates this act could be found guilty of a misdemeanor.

Proponents: Supporters say the bill is needed to give the State Veterinarian the needed power and authority to obtain written livestock health records from livestock dealers. These records would help the State Veterinarian trace and discover diseased livestock, and help him to promote and provide for a better livestock health program in the state. Supporters also say the bill will save livestock producers large sums of money spent annually on livestock disease treatment and deaths.

Testifying for the bill were the State Veterinarian, Missouri Cattleman's Association, Missouri Livestock Marketing Association.

Opponents: No opposition voiced to the committee on the substitute bill.

HCS HB 539, 122, 123, 199 -- Credits Against State
Income Tax

Sponsor: Gardner, Heflin, Mathewson

Committee Action: Reported from Revenue and Economics
Committee on a 14-1 vote.

Would repeal sections relating to the state income tax and enact three new sections. The bill would allow an individual taxpayer the following credits against his or her state income taxes due for the purpose of reimbursing the taxpayer for the payment of state sales taxes on items of necessity. This deduction(s) would be arranged as follows: (1) a taxpayer will be allowed a credit of \$30 for him or herself and \$30 for the spouse if such a deduction is allowed for federal income tax purposes, (2) a taxpayer will be allowed a credit of \$10 for each dependent for whom he or she is entitled to under federal income tax laws, (3) a taxpayer who qualified as an unmarried head of a household or as a surviving spouse for federal income tax purposes will be allowed an additional credit of \$20.

Any or all of the above credits would be deducted from the tax due before the tax is paid to the state. If the credits exceed the tax due, then the amount remaining will be returned to the taxpayer in the same manner and from the same fund as if it were a refund of excessive withholding taxes. This act shall become effective for claims filed for the calendar year 1977 and thereafter.

Proponents: Supporters argue the present system is diluted with regards to present Missouri income tax law.

Opponents; No formal opposition, but discussion arose as to a possible loss of revenue.

HB 318, HCA 1 -- Hazardous Waste Management

Sponsor: Goode

Committee Action: Reported from State Parks &
Recreation Committee on a 13-3 vote.

Creates a seven-member "Waste Management Commission of the State of Missouri" in the Department of Natural Resources which would adopt rules and regulations concerning the storage, treatment, disposal, transportation, containing and labeling of hazardous wastes. It would also license hazardous waste transporters and facility owners. The bill establishes various requirements to be met by generators, transporters and facility owners. It requires DNR to implement the goals set by a waste management plan developed by the Waste Management Commission. Also requires DNR to inform, advise and train the public concerning hazardous management.

Proponents: Supporters point to the fact that there currently is no regulation on transportation or storage of hazardous waste, creating a situation dangerous to humans and the environment. Supporters say the bill would allow input from all sectors, and has the backing of industry and local and state government.

Testifying for the bill were the Department of Natural Resources, Conservation Department, Associated Industries of Missouri, League of Women Voters, Missouri Chapter of National Solid Waste Management, Missouri Highway Highway Patrol and Ryan Industries.

Opponents: No formal opposition voiced to committee, however questions were raised on the advisability of adding another commission to the bureaucracy.

HCS HB 568 -- Mortgage Investments by Lending
Institutions

Sponsor: Sweeney, et al (HB 568)

Committee Action: Reported by Urban Affairs
Committee on a 10-1 vote.

Makes it unlawful for a lending institution to deny to a person a mortgage loan because of sex, race, religion, national origin or geographical location of the property offered as security. The bill does not prohibit a lending institution from considering sound lending practices in the contemplation of a loan. The bill does compel a lending institution to provide and accept a proper application form upon request by an applicant. The bill provides for annual filing of reports indicating the number and amount of home loans applied for and granted to census tract by lending institutions, with an expiration date of January 1, 1982, and provides for public inspection of disclosure statements.

Proponents: Those supporting the bill feel that the practice of "red-lining", the refusing of mortgage loans because the property offered as security is located within a certain "bad risk" neighborhood, is widespread and should be stopped.

Testifying for the bill were the Association of Community Organizations for Reform Now (ACORN), Neighborhood Housing Information Center, Missouri Municipal League and several neighborhood associations and private citizens.

Opponents: Those opposing the bill claim that the practice of red-lining never existed and does not now exist. They argue that the bill is an interference with normal lending practices.

Testifying against the bill were the Missouri Savings & Loan League, St. Louis Savings & Loan League, Kansas City Savings & Loan League and Missouri Bankers Association.

HB 489, HCA 1 -- Transportation Sales Tax Repeal Date

Sponsor: Jordan

Committee Action: Reported from Motor Vehicle and
Traffic Regulation Committee on a 6-0 vote, with
one member voting present.

Would repeal the section which provides that the transportation sales taxes in St. Louis and Kansas City terminate on December 31, 1977. The new expiration date would be December 31, 1981.

Proponents: Supporters say the bill is needed to enable the cities to continue receiving Federal funding for mass transit.

Testifying for the bill were Kansas City Council, Kansas City Convention Bureau, Governor's Office, City of St. Louis, BiState Development Corporation.

Opponents: No opposition voiced to committee.

HB 488, HCA 1 -- Transportation Sales Tax Repeal Date

Sponsor: Jordan

Committee Action: Reported from Motor Vehicles and Traffic Regulations Committee on a 6-0 vote, with one member voting present.

Would repeal the section which provides that the transportation sales tax for Kansas City would expire on December 31, 1977. The new expiration date would be December 31, 1981.

Proponents: Supporters say the bill is needed to enable the city to continue receiving Federal funding for mass transportation.

Testifying for the bill were Kansas City Councilman Leon Brownfield, Kansas City Convention Bureau, the Governor's office, BiState Development Corporation, City of St. Louis.

Opponents: No opposition voiced to committee.

HCS HB 294 -- Energy Facility Siting Act

Sponsor: Russell (6), Baker

Committee Action: Reported from Atomic Energy & Industrial Development Committee on a 5-2 vote.

Bill gives the Public Service Commission the authority to approve, disapprove or modify the location of new major energy facilities to be constructed in Missouri. The bill provides that a prompt public hearing be held with an opportunity given to all interested parties to make a presentation. A technical site evaluation council is created to advise the PSC.

Proponents: Supporters say the bill is needed to provide for public input in the selection of sites for major energy facilities.

Testifying for the bill were the Missouri Department of Natural Resources, the city of Crestwood and the League of Women Voters.

Opponents: Those against the bill say they oppose its concept. They say the bill's provisions would cause a possible delay in construction and that environmental impact is already taken into account under federal regulations.

Testifying against the bill was the Missouri Association of Electrical Cooperatives.

HB 665, HCA 1 -- Pesticide Regulations

Sponsor: Osbourn, Hamlett, et al

Committee Action: Reported from Agriculture Committee
on a 22-5 vote.

Would make extensive revisions to the Missouri Pesticide Act of 1974 relating to the regulation of users of pesticides. The bill would extend regulations to cover public operators, those persons applying or using pesticides for a governmental agency, and would regulate non-commercial applicators of pesticides. The bill would extend the powers and authority of the Agriculture Director to supervise and enforce regulations on the use of pesticides. The bill also provides that the Agriculture Director shall publish, at least annually, a list of agricultural pesticides which have restricted uses. Also, certain fines for the violation of this act have been lowered.

Proponents: Supporters say the bill is needed to bring the 1974 Act up to date and in compliance with the rules and regulations set up by the Federal Environmental Protection Agency (EPA).

Testifying for the bill were the Missouri Department of Agriculture, Farm Bureau, National Farmer's Organization and the Missouri Farmer's Association.

Opponents: There was no formal opposition raised against the amended bill, however some committee members felt that efforts to revise the Missouri Pesticide Act of 1974 would be somewhat futile because they felt it was nearly impossible to have a Pesticide Act that would be in compliance with the constant changes in rules and regulations passed down by the EPA.

HB 256, HCA 1, 2 -- Candidates Campaign Fund

Sponsor: Kostron, et al

Committee Action: Reported from License and Related
Matters Committee on a 4-2 vote.

Would provide an income tax check-off system through which taxpayers could designate \$1 each year to be placed in campaign trust funds to be used by statewide candidates for the offices of Governor, Lieutenant Governor, Secretary of State, Treasurer, Attorney General and Auditor.

Proponents: Supporters say providing public monies to finance statewide elections would give all candidates, regardless of their financial standing or backing, an equal chance.

Testifying for the bill were the offices of State Treasurer and Governor.

Opponents: No opposition voiced to committee.

HCS HB 577 - - Committee on Handicapped
Employment

Sponsor: Mathewson and Dill

Committee Action: Reported from Workmen's
Compensation Committee on an 8-0 vote.

Would establish the "Governor's Committee on Employment of the Handicapped", and assign it to the Department of Labor and Industrial Relations. The members shall be appointed by the department director for a term of four years, with the exception of the chairman, who shall be appointed by the Governor, and an Executive Secretary appointed by the chairman and the department director. The committee shall (1) act in an advisory capacity to all state agencies, (2) cooperate with the President's Committee on Employment of the Handicapped, (3) plan and conduct a continuing program to promote the employment of handicapped persons by creating statewide interest in the rehabilitation and employment of the handicapped, (4) initiate, or analyze and work closely with local committees to promote acceptance of qualified handicapped workers, (5) prepare an annual report to be presented to the Governor no later than January first of each year. Funds for this committee will come from the Department of Labor & Industrial Relations, and are estimated by the Committee on Fiscal Affairs to be FY 77-78 and \$23,400 in FY 78-79.

Proponents: Supporters say hiring the handicapped is good business and is economically sound. For instance, for every \$1 invested by government in employing the handicapped, \$5 is returned in the form of increased tax revenues. Also, the bill provides state assistance for communities in their efforts to solve the problem.

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Testifying for the bill were the Governor's
Committee on Employment of the Handicapped
and the Missouri State Labor Council, AFL-CIO.

Opponents: No opposition voiced to committee.

John Richardson, Research Analyst

HB 108 -- Juvenile Officers Compensation

Sponsor: Holt

Committee Action: Reported from Fees, Salaries and Retirement Committee on an 11-0 vote.

Would equalize the salaries paid to juvenile officers throughout the state by removing the disparity between officers in first-class counties and those in other counties. The bill also would provide a pay increase for all juvenile officers. The effective date would be January 1, 1978.

Proponents: Supporters point to the fact that juvenile officers have not had a pay raise since 1972.

Testifying for the bill were Missouri Juvenile Officers and Missouri Juvenile Justice Association.

Opponents: No opposition voiced to committee.

Sponsor: Hoblitzelle, Curls, Vossmeier, Piekarski
Committee Action: Reported from Urban Affairs
Committee on a 7-3 vote.

Extends the powers and duties of the Missouri Housing Development Commission and spells out in specific detail the intent and purposes of creating the MHDCs. The bill allows the Commission to issue taxable bonds returning up to 15%, institute a loan-to-lenders program, expands eligibility for MHDC programs to new sections of the population, allows the MHDC to finance some renovations with second mortgages, and makes MHDC bonds eligible for investment by public and private pension funds. The bill allows the State Treasurer to invest in MHDC bonds and notes secured by FHA guarantees.

Proponents: Supporters say the bill would increase the scope of MHDC programs. MHDC is currently in sound fiscal shape, and is in a position to expand if allowed to by law. By being able to sell taxable bonds, MHDC would become eligible for certain federal funds.

Testifying for the bill were the MHDC, the Missouri Municipal League, City of Kansas City, Neighborhood Housing Information Center and Missouri Housing Alliance.

Opponents: No formal opposition, however some committee members questioned the provisions allowing MHDC to deal with second mortgages, and to allow state investment in bonds and notes secured by FHA guaranteed mortgages.

HB 703 -- Insurance Benefits for Highway Patrol,
Highway Department

Sponsor: Marriott

Committee Action: Reported from Insurance Committee
on a 7-0 vote.

Employees of the Highway Patrol and Highway Department would be provided health and life insurance coverage to be paid by the state at a cost of approximately \$12 per employee per month. Retired employees of the Highway Patrol and Highway Department would be covered under the program, but their premiums would not be paid by the state.

Proponents: Supporters say the designated employees should be provided these benefits.

Testifying for the bill were Highway Employees Association, State Highway Patrol and Highway Commission.

Opponents: No opposition voiced to committee.

HB 761 -- Industrial Development Corporations

Sponsor: Robb, Griffin

Committee Action: Reported from Government

Organization Committee on a 9-0 vote.

Would permit three or more persons to form industrial development corporations upon approval of the local governing body. Presently, industrial revenue bonds can be issued in Missouri only upon a vote of the people. The bill also provides that property authorized for industrial development under this mechanism would go on the tax rolls, thus insuring revenue for the local governing body.

Proponents: Supporters say there are two problems with the current process requiring a public vote for the issuance of industrial bonds: (1) the length of time it takes for a vote causes industries to go to other states where the process is not so lengthy, (2) the public misunderstands the difference between obligation bonds and revenue bonds. They say this was clearly indicated by voter rejection of the constitutional amendment to permit local governing bodies to issue industrial revenue bonds. In addition, supporters of HB 761 say it is costly to hold elections and to educate the public in order to inform them of the advantages of voting for industrial revenue bond proposals. Supporters say the current law prevents Missouri from competing with other states for jobs and industry.

Testifying for HB 761 were State Commerce and Industrial Development, City Council of Kansas City, Jackson County Industrial Development Corporation, real estate firms and private industries located in the Kansas City area. Missouri State Labor Council sent letter of endorsement.

Opponents: No opposition voiced to committee.

HB 254 -- Relating to the Department of Community
Affairs

Sponsor: DeCoster

Committee Action: Reported from Government

Organization Committee on a 9-0 vote.

Would remove from the definitions pertaining to the Department of Community Affairs political subdivisions "exercising governmental functions." It would prevent programs from being established without the knowledge of the General Assembly, particularly those on the federal level.

Note: This bill passed the House in 1976 and died on the Senate calendar. It is identical to a bill which was vetoed by the Governor in 1972, on grounds it would limit the authority of the Executive branch in the execution of state and federal laws and would jeopardize the legal status of several programs, such as the Law Enforcement Assistance Council and activities of community action agencies.

Proponents: Those supporting the bill say it is needed to prevent programs from being established without the knowledge of the General Assembly. Frequently, the General Assembly knows nothing about these programs until federal funding is cut off, and the governmental unit comes to the legislature to ask for state funding.

Opponents: No opposition voiced to committee.

HB 401 -- Motor Fuel Tax for Marine Purposes

Sponsor: Butts

Committee Action: Reported from Government

Organization Committee on a 9-0 vote.

Would provide that counties with a shoreline of 150 miles or more would receive a refund of motor fuel taxes for motor fuel used for marine purposes. Refunds would be made annually by the Department of Revenue, and the counties would be required to use the money for repair and maintenance of roads which connect state highways with lakes.

Proponents: Supporters say these counties are in dire need of assistance to maintain their roads, and this bill would permit the state to return to the counties a source of revenue which was generated where the roads in need of repair are located.

Testifying for HB 401 were representatives of county courts in Laclede, Pulaski and Camden counties.

Opponents: No opposition voiced to committee.

HB 217 -- Condemnation Procedures

Sponsor: Buechner, Mathewson, Baker, Holt
Committee Action: Reported from the

— Agriculture Committee on a 27-0 vote.

Would permit various utilities to condemn land needed for the business of transporting or carrying water-based fertilizer solutions.

Proponents: Supporters say the bill is needed to allow for the condemnation of land for building pipelines to transport water-based fertilizer. They say pipelines for transport would provide a cheaper way to move the produce and would, in turn, lower the price of water-based fertilizer to the farmer and consumer.

— Opponents: No opposition voiced to committee.

HB 356 -- CITY Earnings Tax

Sponsor: Piekarski, Zych

Committee Action: Reported from Urban Affairs Committee
on a 9-1 vote, with one member voting present.

Bill repeals and re-enacts the sections of the Missouri statutes authorizing St. Louis and Kansas City to collect an earnings tax, with the following change: the employer would no longer be allowed to keep part of the taxes withheld as compensation for collecting the tax.

Proponents: Supporters say St. Louis and Kansas City allow employers to keep different amounts of the earning tax, and the bill would remove the disparity. Supporters also argue employers are not paid to deduct other taxes from employee's pay checks, and the bill would remove this difference between the earnings tax and other taxes. In addition, proponents say passage of the bill would net St. Louis about \$500,000 and Kansas City \$700,000 without a tax increase.
Testifying for the bill were the cities of St. Louis and Kansas City.

Opponents: Opponents say employers need the rebate to alleviate bookkeeping and auditing costs.
Testifying against the bill were the Missouri Retailers Association, Merchants Association of Kansas City and two retail department stores.

HB 107, HCA 1 -- Statute of Limitations for Attorney
Malpractice

Sponsor: Holt, O'Toole

Committee Action: Reported from Judiciary Committee
on a 12-1 vote.

Establishes a statute of limitations for legal malpractice claims of five years from the date of occurrence, or from the date on which the claimant in the exercise of ordinary care should have discovered the malpractice. It also bars all actions after ten years from the date of occurrence.

Proponents: Supporters say the bill would prevent stale claims and would alleviate the burden on a retired attorney or his estate from carrying malpractice insurance long after he leaves practice. Testifying for the bill was the Missouri Bar Association.

Opponents: Those opposing the bill say it works against individuals who would not discover an act of malpractice within the 10 year time frame. Testifying against the bill was the American Insurance Association.

HB 288, HCA 1,2,3, -- Certain Offenses Against Property

Sponsor: Fickle

Committee Action: Reported from Judiciary Committee
on a 10-2 vote.

Makes it a misdemeanor to tamper with gas lines and water lines, or to steal gas or water.

Proponents: Supporters say the bill would discourage individuals from tampering with water and gas lines, conduct which leads to bodily injury, injury to property and product shortages and contamination.

Testifying for the bill were the Assistant Water Commissioner of St. Louis, Assistant City Attorney for Kansas City and the Laclede Gas Company.

Opponents: Those opposing the bill say civil and criminal remedies are available under the current law.

HB 424, HCA 1 -- Membership of Congressional District
Committees

Sponsor: Smith (46)

Committee Action: Reported from Elections Committee
on a 5-0 vote, with one member voting present.

Would provide that congressional district committees elect five persons as members of party state committees, along with the chairman of the congressional committee who would, by virtue of his position, be a member. The bill retains the requirement that six persons be equally divided between men and women. The chairman of the state committee could, when elected not be a state committee member, but would then become a member by virtue of his election as chairman. This would allow for a 71-member committee.

Proponents: Supporters say the bill would provide for expanded state party committees and would provide broader representation at the state level.
Testifying for the bill was the State Treasurer's office.

Opponents: No opposition voiced to committee.

HB 286 -- Speed Limits for Second Class Counties

Sponsor: Fickle

Committee Action: Reported from Transportation
Committee on a 20-0 vote.

Would allow the county courts of second class counties to set the speed limits on any county road not within the limits of any incorporated area, lower than otherwise provided by law.

Proponents: Supporters say the bill is needed to give second class authority to set speed limits on county roads. Supporters contend this will save lives and make county roads safer to drive on and live near.

Opponents: No opposition voiced to committee.

HB 72, HCA 1 -- Fire Protection Districts - Member Retirement

Sponsor: Dirck

Committee Action: Reported from Workmen's Compensation Committee on a 5-0 vote.

Would allow the boards of directors of fire protection districts with the approval of the qualified voters, to provide for the pensioning of the salaried members of its staff, with the exception of any part-time employees or elected officials of the district. The benefits would be both as a form of deferred compensation for longevity of service, death benefits for survivors, and payment of accident and disability due to injury or incurred while on duty. The bill also provides for elections to be held in fire protection districts without a pensioning plan for their staffs, to determine if voters want to provide such a plan. However, the board of directors of any fire protection district which already has a pension system may establish, without an election, a pension plan for any member who becomes permanently disabled as the result of an accident while on duty.

Proponents: Supporters say pension benefits need to be expanded for the salaried staffs of the fire protection districts.

Opponents: No opposition voiced to committee.

HB 477, HCA 1, -- Public School, Retirement System

Sponsor: Brown

Committee Action: Reported from Fees, Salaries and Retirement Committee on an 11-0 vote.

Would raise the maximum rate of contribution to the public school retirement system that a board of trustees can set from 9½% to 10%. Would allow any member with 30 or more years of creditable service to retire and receive full retirement benefits, regardless of age. Would remove a provision that disability payments received prior to retirement are to count against one's retirement allowance. Would permit persons age 60 or over with 25 years service, rather than 30, to retire with reduced benefits. Would provide for a refund of contributions with interest to persons who discontinue membership after contributing two years or more, rather than five.

Proponents: Supporters argue a good retirement program will help keep good teachers in Missouri. They say the bill would make retirement systems actuarially sound and would save money in the long run because higher salaried, more experienced teachers would be allowed to retire earlier.

Testifying for the bill were the Missouri State Teachers Association and Missouri Association of School Administrators.

Opponents: No opposition voiced to committee.

HCS HB 77 -- Tax Commissioners' Salaries

Sponsor: Heflin

Committee Action: Reported from Fees, Salaries and Retirement Committee on an 11-0 vote.

Would increase the compensation for state tax commissioners from \$8,000 to \$15,000 per year in Sec. 138.230, RSMo 1969. This would raise the total salary received by a commissioner from \$18,000 to \$25,000 per year.

Proponents: Supporters say the workload for commissioners has increased ten-fold since 1966 without an increase in pay. Supporters believe a salary increase will increase the willingness of qualified persons to serve.

Testifying for the bill were the State Tax Commission, St. Louis City Counselor's Office, Jackson County Assessor.

Opponents: No opposition voiced to committee.

HB 478 -- Missouri Veterans Home

Sponsor: Proffer

Committee Action: Reported from Federal-State Relations
& Veterans Affairs Committee on a 9-0 vote.

Bill changes the name of the Federal Soldiers Home to the Missouri Veterans Home, and places the administration of the home under the Department of Social Services. This would bring the statutes into conformity with state reorganization. The bill also provides that the director of the Division of Veterans Affairs will appoint the superintendent of the home under the merit system. (The current law grants discretion in this matter to the Board of Trustees, which is now defunct.) The formula for payment by residents with income is changed, with the superintendent making the determination as to the amount charged.

Proponents: Supporters say the bill is needed to make Missouri statutes consistent with the operation of the veterans' home after reorganization.
Testifying for the bill was the Director of Veterans' Affairs.

Opponents: No opposition voiced to committee.

HCS HB 60, 203, 204, 205 -- Sales Tax on Trade-ins

Sponsor: Kenton and Binger

Committee Action: Reported from Revenue and
Economics Committee on an 11-0 vote.

Would repeal three sections dealing with the sales tax on trade-ins and add three new sections. The bill would change the retail sale trade-in allowance from \$500 to \$200. In other words, if an individual trades in an item and wants it used as a credit against the purchase price of a new item, then sales tax must be paid on the difference between the trade-in allowance and the new item purchase price, so long as the difference exceeds \$200. A bill of sale or other record showing the actual allowance made for the article traded-in or exchanged must be provided.

The bill also states that the isolated or occasional sale of property or goods by a person not engaged in such a business, is not to be considered as a business, unless the gross receipts exceed \$3,000 in a calendar year. This does not include the receipts from the sale of personal property by persons whose property is sold in the course of the partial or complete liquidation of a household, farm, or non-business enterprise.

Finally, this bill provides that persons engaged in a business must keep such records and books as may be required for federal income tax purposes.

Proponents: Supporters say the bill clarifies in dollar terms the definition of a business. Also, the legislative intent is to say that the requirements of the state cannot be more stringent than those of the IRS.

Testifying for the bill were Governor's office and the Automobile Dealers' Association of Missouri.

Opponents: No formal opposition presented to committee, however questions arose as to how much revenue the state would stand to lose. The fiscal note shows a decrease in general revenue for FY 77 of \$84,400 and FY 78 of \$117,000.

HCS HB 408, 409, 410, 411, 412, 413, 414, 415 --
Eligibility for Public Assistance

Sponsor: Goward

Committee Action: Reported from Social Services and
Medicaid Committee on a 6-0 vote.

Would provide that claimants for public assistance benefits would be disqualified by a transfer of property only within the preceding one year before applying for benefits, rather than the last five years. Would provide that ADC payments to children placed in a foster family home or private institution would not exceed foster care payment rates established by the Division of Family Services. Would also make persons eligible for medical assistance if they qualified for old age, permanently and totally disabled or assistance to the blind benefits. The bill also would revise procedures for appeals of the decisions of the Division of Family Services regarding the termination or modification of public assistance benefits.

Proponents: Supporters say the bill is necessary to more clearly define and strengthen the responsibilities of the Division of Family Services in the areas of public assistance.

Testifying for the bill was the Missouri Division of Family Services.

Opponents: No opposition voiced to committee.

HCS HB 144, 339 -- Collective Bargaining for Public
Employees

Sponsor: McKamey (HB 144), Schlef (HB 339)

Committee Action: Reported from Labor Committee on an
11-1 vote, with one member voting present.

Provides for collective bargaining for all public employees, with these exceptions: deputy sheriffs, State Highway Patrolmen, Missouri National Guard and licensed teachers. The provisions provide for the election of an "exclusive representative" to be elected by the employees, and for a dues check-off by the employer at the written consent of the employees to pay for the exclusive representative. The bill additionally defines unfair labor practices of the employer and of the employees' labor organization. When a dispute or impasse exists during collective bargaining between the employer and the exclusive representative, the bill provides for mediation, then fact finding and finally, if no agreement can be reached, binding arbitration. The costs of these services would be divided equally between the employer and the exclusive representative. Although this bill strengthens the employees' bargaining position, it positively denies those same employees from striking, and makes such actions unlawful. The act would be administered by the Department of Labor and Industrial Relations.

Proponents: Supporters say the bill is needed to strengthen the public employees' bargaining position, to require bargaining in good faith and to provide for binding arbitration.

Testifying for the bill were the United Auto Workers, United Labor Committee, American Federation of State, County & Municipal Employees and the Missouri Division of Family Services Employees Association.

Opponents: No opposition voiced to the committee on the substitute bill.

HB 308 -- Firemen Pensions

Sponsor: Zyah, Egan

Committee Action: Reported from Local Government
& Related Matters Committee on a 13-0 vote.

Would lower the retirement age for St. Louis firemen to 60. The retirement allowance would be a maximum of 70% of the average annual compensation for the last three years of service. Members could retire with 25 years of service, with a retirement allowance based on years of service.

Proponents: Supporters say firemen want to retire at an earlier age, and the bill would reduce disabilities which would, in turn, decrease the overall cost to the city and state.

Testifying for the bill were St. Louis City, St. Louis Firefighters Local 73 and the Firemen's Retirement System.

Opponents: No opposition voiced to committee.

HB 54 -- Containers for Intoxicating Beverages

Sponsor: Blassie

Committee Action: Reported from Local Government
& Related Matters Committee on a 13-0 vote.

Would provide that a sale of intoxicating liquor is a sale by the drink whenever it consists of less than 187 milliliters. The present measurement is one-half pint. The bill also relates to certain size containers for certain liquors, but does not apply to malt liquor.

Proponents: Supporters say the bottling industry is gearing up for the change over to Metric volumes. If changes are not made, bottlers would violate Missouri law by having slightly less than one-half pint.

Testifying for the bill was the Distilled Spirits Institute.

Opponents: No opposition voiced to committee.

HB 52 -- Sales of Intoxicating Beverages

Sponsor: Blassie

Committee Action: Reported from Local Government &
Related Matters Committee on a 13-0 vote.

Would provide that a person holding a license for the sale of malt liquor could only sell malt liquor of between 3.2% and 5% alcohol by weight between the hours of 6:00 a.m. Sunday and 1:30 a.m. Monday.

Proponents: Supporters say businessmen want to sell 5% beer on Sunday.

Testifying for the bill was the U.S. Brewers Association.

Opponents: Opponents voiced strong objections to doing this business on Sunday.

Testifying against the bill was the Missouri Baptist Association.

HB 417, HCA 1 -- Treated Timber Bill

Sponsor: Russell (6)

Committee Action: Reported from Civil and Criminal
Committee on a 9-2 vote.

The bill makes the following changes in the current Treated Timber Law: (1) Restricts license requirements to those engaged in the lumber business, either treating or selling treated lumber, (2) Changes references to "Commissioner" to "Director" of Agriculture, (3) Allows the Director to apply for and receive search warrants to enter any land on which he feels this act is being violated, (4) takes away the exemption for companies dealing with utilities, (5) allow the Director to get an injunction to prevent continued violations of the act.

Proponents: Supporters say this bill would solve the problem of lumber products being advertised and sold as "treated" lumber without meeting Missouri standards for treated lumber. They say the Missouri lumber industry suffers because their prices are undercut, and the consumer suffers by being sold inferior lumber at inferior lumber prices while being led to believe it is superior lumber.

Testifying for the bill was the Missouri Department of Agriculture.

Opponents: No formal opposition voiced to committee, however questions were raised that the bill might unnecessarily burden free competition.

HB 285, HCA 1,2 -- Vicious Animals

Sponsor: Fickle

Committee Action: Reported from Civil and Criminal
Justice Committee on a 10-1 vote.

This bill would make authorized local authorities take custody of any animal reported to be vicious and found not on the owner's property. It provides for a magistrate hearing to determine if the animal is, in fact, vicious, and if so found, can be destroyed and the owner held liable for the cost of the proceedings and treble damages for any harm caused by the animal. Currently, most local authorities do not have statutory authority to control vicious animals.

Proponents: Supporters say this bill will help control the problems caused by vicious animals running loose. Testifying for the bill was the Conservation Club of Missouri.

Opponents: The amendments have satisfied the arguments raised by the organizations which testified against the bill. The viciousness shown must be against humans or domestic animals, and if the animal is found not vicious, the owner does not have to pay for the hearing. However, one criticism remained in committee. It was argued that this bill extends due process to animals to an extent greater than that granted humans under some conditions. Magistrates should not be occupied with these types of hearings.

HB 176, HCA 1,2 -- Motorboat Safety

Sponsor: McCubbin, Hedrick

Committee Action: Reported from State Parks, Recreation
& Natural Resources Committee on a 14-1 vote.

Requires that motorboats not underway, moored at permanent dockage or attached to the shore display a light visible 360-degrees around the horizon. Requires that there be one personal flotation device in the boat for every person in a motorboat larger than 16-feet long, and for every skier not wearing one. Requires a personal flotation device for every person in a motorboat less than 16 feet long or a canoe or kayak, other than those traveling on rivers, streams or creeks. Requires that fire extinguishers be carried on all motorboats.

Proponents: Supporters say state law needs to be brought in compliance with federal regulation. They also say the bill needs to be passed for safety reasons.

Testifying for the bill were the Division of Water Safety and the Lake of the Ozarks Yachting Club.

Opponents: No opposition voiced to the committee.

HB 269 -- Library Tax

Sponsor: Doll, et al

Committee Action: Reported from Municipal Corporations
Committee on a 5-0 vote.

Would allow second-class counties to raise their library tax be 20-cents instead of 15-cents per \$100 assessed valuation to a maximum of 30-cents instead of the present 25-cents per \$100 assessed valuation.

Proponents: Supporters say the costs of running libraries have exceeded the amounts that may be raised under present statutory limits.

Opponents: No opposition voiced to committee.

HB 53 -- Police Retirement

Sponsor: Blassie

Committee Action: Reported from Municipal Corporations
Committee on a 5-0 vote.

Would allow St. Louis policemen to retire with full benefits before the age of 55 if he has 25 years of service. It also sets the retirement pay scale at 1/50 of the policemen's average final compensation at age 55, multiplied by the number of years in service.

Proponents: Supporters say the bill will improve the St. Louis policemen's retirement plan.

Testifying for the bill was the St. Louis Police Officer's Association.

Opponents: No opposition voiced to committee.

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HOUSE PERFECTION CALENDAR

Monday, February 28, 1977

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Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HJR 39 -- Exemption of Women from Jury Duty

Sponsor: Shear, et al

Committee Action: Reported from Civil and Criminal Justice
Committee on an 8-2 vote.

A proposed constitutional amendment to remove the automatic exemption from jury duty for women.

Proponents: Supporters say many women are prevented from serving on juries by employers who realize women do not have to serve. They say statistics show that juries composed predominately of one sex give different verdicts than mixed juries. Supporters also argue there may be a constitutional due-process argument in this area in the future, and a change now would avoid future problems.

Opponents: No testimony offered in opposition however questions were raised that, as a practical matter, most women are still keepers of the home and should be allowed the free choice to stay with their children and avoid jury duty if they so desire.

HB 131, HCA 1, 2, 3 -- State Aid for School Districts

Sponsor: Goode

Committee Action: Reported from Education

Committee on a 24 - 0 vote.

Would alter state aid to schools in several significant ways. Some of them are: part-time and summer students are counted in determining "average daily attendance"; membership (enrollment) is given equal weight to average daily attendance in determining the number of eligible pupils; percentages are used instead of dollar amounts; a guaranteed tax base is provided; the hold harmless clause gives those districts that will receive a decreasing entitlement time to adjust to the decrease until a minimum entitlement is reached (it starts at \$100 per eligible pupil). The bill also sets up a new formula for determining state aid for bus transportation of students.

Proponents: Supporters want to establish a formula for the distribution of state aid to schools which eliminates many of the inequities that arise from variations in wealth from school district to school district. The formula does this by (a) setting a statewide minimum expenditure per child, (b) providing a guaranteed tax base, and (c) giving equal aid for equal tax rates, thereby equally rewarding local tax effort.

Testifying for the bill were the State Department of Elementary and Secondary Education, Education Commission of the States, Governor's Conference on Education, League of Women Voters, Missouri School Boards Association, Missouri Farm Bureau, Missouri National Education Association, Missouri Teachers Association, Missouri Congress of Parents and Teachers, Missouri Association of School

HB 131, HCA 1, 2, 3 -- State Aid for School Districts

Administrators, Conference of Education, Council on Education, Cooperating School Districts of St. Louis County, and School boards of Kansas City, St. Louis and Carrollton.

Opponents: No testimony in opposition to the bill, however, questions were raised that the level of funding required by the proposed formula is too high. They say the formula doesn't succeed in eliminating inequities in financing. The high cost of financing the public schools will reduce the freedom of choice of those who wish to be financially able to choose an alternative to public education.

HCS HB 425, 609 Probation and Halfway Houses

Sponsors: Holt, Calloway, and Shear

Committee Action: Reported from the Committee on State
Institutions by a 5-3 vote.

The bill provides for halfway houses which would offer housing, treatment, counseling, and other correctional services to persons within six months of release from prison, to persons on probation or parole, and accused persons who voluntarily accept treatment. It would also increase the size of the Probation and Parole Commission from three members to five members. It would require one member to be a woman and one other member to be from a minority group.

Proponents: Supporters say that is an alternative to probation and works well within the community.

Testifying for the bill were the directors of two halfway houses.

Opponents: No opposition voiced to the committee.

HCS HB 197, 198 -- Reassessment of all Property Taxes

Sponsor: Russell (58)

Committee Action: Reported from the Revenue and Economics
Committee by a 13-1 vote.

This bill would require a general reassessment of all real and personal property in all counties, utilizing a new equalization formula. This also would require the taxing authorities to reduce their tax rates whenever the assessed valuation of combined real and personal property increased by more than 10 percent over the prior year.

Proponents: Supporters say that the bill would help in obtaining a more equal assessment of property taxes state-wide.

Opponents: No opposition voiced to the committee.

HCS HB 82 -- Increases in the Property Taxes

Sponsor: Kenton and Dyer

Committee Action: Reported out of the Revenue and
Economics Committee by a 13-1 vote.

The bill would provide that when school districts and other political subdivisions have been required to reduce their tax rates because of an increase of 10 percent or more in the assessed valuation of property in a county, later increases in the tax rates would be allowed only upon approval by the voters.

Proponents: Supporters say that this bill will assure that tax districts will not receive windfalls when their assessments increase substantially. The bill will force a tax roll-back.

Testifying for the bill was the Missouri Public Expenditure Survey.

Opponents: No opposition was voiced to the committee.

HB 315 -- Business Discrimination

Sponsor: O'Toole, Rothman, Buechner, Sweeney, et al
Committee Action: Reported from Judiciary Committee
on an 11-0 vote.

Prevents foreign countries from requiring Missouri corporations to refrain from doing business with any country or other entity (secondary boycott), and prevents foreign countries from requiring Missouri corporations to refrain from doing business with other businesses which deal with a particular group or entity (tertiary boycott).

Proponents: Supporters say such economic pressures exerted on individuals and businesses in Missouri by foreign powers are an infringement on the rights of Missourians and an insult to American ideals.

Testifying for the bill were the Jewish Community Relations Council and Father Trafford P. Maher of St. Louis.

Opponents: No testimony in opposition to committee.

HB 453 -- Sales Tax Brackets Revision

Sponsor: Goode

Committee Action: Reported from Revenue and Economics
Committee by a 13-1 vote.

This bill would revise the state and city sales tax brackets to reflect the increase of 1/8 of a percent for conservation purposes. This bill contains an emergency clause with an effective date of July 1, 1977.

Proponents: This bill would help in the collection of the sales tax as required by the initiative petition in the November 1976 General Election.

Opponents: No opposition voiced to the committee.

HCS HB 367,236, 39, 503 -- Five Year License Plates

Sponsor: Quarles

Committee Action: Reported from the Motor Vehicle and
Traffic Regulation Committee by a 8-0 vote.

The bill provides for a five year license plate that will have tabs attached annually to show that registration fees have been paid. It also provides for various special plates for elected officials and disabled persons. A \$24 fee would be charged for all special plates except for the plates for disabled persons.

Proponents: Supporters say that a five-year plate would save the state money.

Testifying for the bill were the Highway Patrol and the Department of Revenue.

Opponents: No opposition was voiced to the committee.

HB 312 -- Deduction from State Income Taxes

Sponsor: Zych, Piekarski, et al

Committee Action: Reported from Urban Affairs Committee
on a 9-0 vote.

Would allow an individual taxpayer to claim a deduction on his state income tax of up to \$500 against his adjusted gross income for the costs of materials and labor in making exterior home improvements. He shall not claim this deduction if he has been compensated for those costs by an insurance company or if he claimed a credit, deduction or exemption on his Federal return for home improvements, nor shall he claim any labor costs if he performs the labor himself. The bill would provide an approximate tax break to the individual taxpayer of a maximum \$35. An attached fiscal note indicates a maximum loss of revenue to the state of between \$250,000 and \$350,000.

Proponents: Supporters say the bill would provide an incentive for a home owner to improve his home, hopefully in small, steady stages over a period of time. Testifying for the bill was the Missouri Association of Realtors, labor and various neighborhood organizations.

Opponents: No opposition voiced to committee.

HB 265 -- Evidence Presented Before the Public Service
Commission

Sponsor: Dames

Committee Action: Reported from Consumer Protection
Committee on a 15-1 vote.

Amends the witness immunity section of the Public Service Commission chapter by requiring an explicit claim of the privilege against self-incrimination before immunity from further prosecution is granted.

Proponents: Supporters want to remove the possibility that double jeopardy would be claimed on the basis of testimony before the Public Service Commission without an explicit claim by the person testifying of his privilege against self-incrimination.

Opponents: No opposition voiced to the committee.

HCS HB 492 -- Expenditure of Appropriate Funds

Sponsor: Brady

Committee Action: Reported from Governmental
Review Committee on a 9-1 vote.

Would allow the General Assembly to appropriate funds to the Clean Water Commission of the Department of Natural Resources for control of storm water in any first-class county with a population over 450,000, or any charter city not within a county. The Commission shall administer these funds. The bill contains an emergency clause.

Proponents: Supporters say storm water control is a top priority for St. Louis County and the Missouri Municipal League.

Testifying for the bill were the cities of Northwoods and Bellefontaine Neighbors.

Opponents: Rep. Robert Fowler spoke against the bill.

HB 542, HCA 1 -- Licensing of Certain Child Care Centers

Sponsor: Shear

Committee Action: Reported from the Social Services
Committee by a 6-2 vote.

The bill would provide that day care centers or nurseries would have to be licensed if they provide care for more than six children, rather than the present requirement of four children. A center operated by a school system or business for the convenience of customers would no longer be exempt from the licensing requirement. Facilities offering pre-kindergarten education for less than four hours per day would be exempt. The bill would empower the Division of Family Services to stop the operation of facilities in violation of licensing requirements. This bill would require licensing of 152 religious facilities and 100 day care facilities which are not under regulation at the present time.

Proponents: This bill would make the licensing requirements more uniform throughout the state.

Testifying for the bill was the Division of Family Services.

Opponents: There was some testimony to the effect that the bill gave too much power to the bureaucrats.

Testifying against the bill was an individual from a Columbia Day Care Center.

HCS for HB 464 and 670 Collective Bargaining for Teachers

Sponsors: Hadley and Gardner

Committee Action: Reported from the Labor Committee on a
12 to 1 vote.

This bill provides for collective bargaining for all teachers employed by any of Missouri's school districts as defined by statute. It provides for the election of an exclusive representative by the employees for the purpose of collective bargaining for the employees. Such election will be called by the Labor and Industrial Relations Commission upon receipt of a petition containing the signatures of at least 30% of the eligible employees, as defined by the Commission, stating that they wish to be represented by an exclusive representative. The bill provides for dues to be deducted from a teacher's paycheck only upon request from the individual employee. The bill spells out what shall be considered unfair labor practices regarding employers and employee organizations. The bill provides that if collective bargaining breaks down, the commission may institute fact-finding, mediation, or binding arbitration. The cost of these services shall be divided equally between the two parties. Strikes are prohibited and the act shall be administered by the Labor and Industrial Relations Commission.

Proponents: Supporters say the bill will allow teachers to join together for collective bargaining and that school boards recognize any bargain in good faith with them. This is a much stronger and fairer provision than the current law.

Testifying for the bill were the National Education Association, Missouri State Teachers Association, with the exception that the bill does not prohibit agency shops.

Opponents: Opponents say that the bill would allow principals to belong to the same collective bargaining unit as teachers, and that the bill would place a large financial burden upon the local school districts.

Testifying against the bill were the Missouri School Boards Association.

HCS HB 350 -- Relating to Alcohol and Drug Abuse

Sponsor: Schlef

Committee Action: Reported from Public Health and Safety
Committee on a 6-2 vote, with one member voting present.

Provides for a comprehensive and integrated statewide program for identification and registration of alcoholism and drug abuse programs, and minimum requirements for treatment and rehabilitation facilities. All alcoholism and drug programs would be required to be registered within 180 days after the effective date of the act. Programs such as those in public or private schools or law enforcement agencies would be exempt. The provisions would not apply to any program which does not receive public funds for its operation. Rules and regulations would be subject to approval of the Advisory Council on Alcoholism and Drug Abuse of the Department of Mental Health. Violations of the act would constitute a misdemeanor.

Proponents: Supporters maintain passage of the bill would enable the state to receive federal funds for alcohol and drug abuse programs.

Testifying for the bill was the State Division of Alcoholism and Drug Abuse.

Opponents: No opposition was voiced to the committee.

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Committee on a 6-2 vote, with one member voting present.

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Proponents: Supporters maintain passage of the bill would enable the state to receive federal funds for alcohol and drug abuse programs.

Testifying for the bill was the State Division of Alcoholism and Drug Abuse.

Opponents: No opposition was voiced to the committee.

HB 436, HCA 1 -- Shift Differential Pay

Sponsor: Rojas

Committee Action: Reported from Employment Security
and Fair Employment Practices Committee on a 4-1
vote.

Would require the state to pay each of its employees, who work an evening or night shift, additional compensation. This additional compensation would not exceed 10% of the individual employees' base pay. The term "evening or night shift" shall include work performed by an employee occurring in whole or in part during any of the hours between 6:00 p.m. and 7:00 a.m. More than 50% of the work completed by the employee must fall between the designated hours.

Proponents: Supporters want to allow state employees who are required to work a night shift to receive additional pay. They argue that the bill will provide a benefit to state employees which is currently granted to many private employees.

Testifying for the bill was A.F.S.C.M.E., AFL-CIO.

Opponents: No opposition voiced to the committee.

HCS for HB 662 Regulations of Cultured Fish

Sponsor: Butts, et al

Committee Action: Reported from the Agriculture Committee
on a 17-8 vote.

The substitute bill would give the director of the Missouri Department of Agriculture the authority to promulgate rules to regulate the breeding, raising, processing and sale of cultured fish (fish grown and produced exclusively under artificial and controlled conditions not in hatcheries operated by the Conservation Commission and which are two or more generations removed from a wildlife state.) The bill declares that cultured fish are not part of the fish resources or wildlife resources of the state within the meaning of Article IV Section 40 (a) of the constitution and shall not be subject to control, management, restoration, conservation and regulation of the Conservation Commission.

Proponents: Supporters say the bill is needed to transfer regulatory duties of "cultured fish" from the Conservation Department to the Agriculture Department. Raising fish is no different than raising any other kind of livestock and should therefore be placed under the jurisdiction of the Agriculture Department. Supporters also say that the bill is needed to clarify the definition of ownership of fish.

Testifying for the bill were the Missouri Catfish Association, Missouri Department of Agriculture, Ozark Fisher's Association, Missouri Farm Bureau and several state fish producers.

Opponents: Those opposed to the bill say that supervision should be left to the Conservation Department because fish are wild creatures. Opponents claim the bill is unconstitutional.

Testifying against the bill was the Missouri Department of Conservation.

HCS HB 389, 485 -- Power to Impose Penalties by Magistrates

Sponsor: Miller, O'Toole, Sharp, Butts, Brockfield
Committee Action: Reported from Civil and Criminal
Justice Committee on an 11-0 vote.

Would allow magistrates the option to assign those to be confined in a county jail to public work projects. For example, traffic offenders might be assigned road clean-up projects as a alternative to jail. Two days of confinement can be removed by one day of work.

Proponents: Those supporting the bill say it would allow for prisoners to be engaged in productive work projects.

Opponents: No opposition voiced to committee.

HCS HB 320 -- Police Powers to Arrest for Misdemeanors

Sponsor: Dyer

Committee Action: Reported from Civil and Criminal
Justice Committee on a 6-4 vote.

Seeks to have St. Charles and Jefferson Counties included in a statute that allows police officers to arrest on suspicion of a suspect's committing a misdemeanor. Probable cause would still be required.

Proponents: Supporters argue the bill would prevent petty criminals such as shoplifters who are apprehended for stealing less than \$50 from leaving the county, making it difficult to locate them later for a trial.

Opponents: No testimony offered in opposition, however questions were raised that the bill would give police power to harass without solving any major problem. They argue this is too great an erosion of civil rights to be justified as a solution to such problems as shoplifting, which can better be dealt with in other ways.

HCS HB 145 -- No Fault Insurance

Sponsor: Seay

Committee Action: Reported from Judiciary Committee on
an 11-2 vote.

Would provide for a no fault insurance program for the state. The bill requires policies to provide certain minimum benefits without regard to fault, gives the insured the right to reject no fault benefits, and retains tort liability. The bill contains no "threshold" amount for any degree of injury. The minimum benefits are \$2,000 in medical payments, a maximum of \$140 per week for a year for a loss of income and \$5,000 for death.

Proponents: Supporters say the main benefit of this bill would be to require insurance companies to offer an immediate benefit policy to customers.

Testifying for the bill were the Missouri Bar Association, MFA Insurance Company and the State Division of Insurance.

Opponents: No testimony in opposition to the content of the substitute bill.

HB 349 -- Missouri Business Takeover Act

Sponsor: Young

Committee Action: Reported from Civil and Criminal
Justice Committee on an 8-0 vote.

Would make it unlawful for any person to make a takeover offer involving a target company organized within or with substantial assets in Missouri without first filing a disclosure statement with the State Securities Commissioner. The bill allows 20 days for the commission to delay effectiveness. It also allows for acceleration by the commission on agreement by the target company.

Proponents: Supporters say the bill would prevent corporate raids by surprise takeover bids on Missouri corporations.

Opponents: No testimony in opposition voiced to the committee.

HB 74, HCA 1 -- Disposition of Public Utilities During Strikes

Sponsor: Dirck

Committee Action: Reported from Consumer Protection
Committee on an 11-7 vote.

Requires the Public Service Commission to order any utility that realizes profits from a reduction of its active labor force to return those profits to its customers, or the PSC may reduce the rate base of the utility.

Proponents: Supporters want to prevent the utility companies from realizing windfall profits from strikes, lockouts or layoffs of their labor force.

Testifying for the bill was the Missouri Utility Workers Conference.

Opponents: Those opposing the bill say the Public Service Commission already considers reduction in labor force in rate cases. They say gauging "profit" during a strike is misleading because it does not take into account the overtime after a strike settlement.

Testifying against the bill were Southwestern Bell, United Telephone, and the St. Louis County Water Company.

HCS HB 362 -- Landlord Tenant Bill

Sponsor: Peikarski (HB 362)

Committee Action: Reported from Consumer Protection
Committee on a 9-1 vote.

Requires a landlord to state in writing to his tenants the rules and regulations with which they must comply. Specified what a rental agreement or contract must contain, and what it cannot contain. Provides procedures for handling rental deposits, and for repairing and assessing the cost of damages.

Proponents: Supporters want to make the rights and duties of landlords and tenants specific in rental contract matters.

Testifying for the bill were the Attorney General's office and Associated Students of the University of Missouri.

Opponents: No opposition voiced to the committee.

HB 129, HCA 1 -- Distribution of Monies to Public Schools

Sponsor: Goode

Committee Action: Reported from Education Committee on
a 21-3 vote.

The bill provides that monies from the county foreign insurance tax fund, county school taxes on railroads and the county school fund shall be distributed to school districts on the basis of the number of students enrolled in the public schools in a district on the third Wednesday in September.

Proponents: Supporters want to change the enumeration factor in the formula for distribution of county school funds to enrollment. They say enrollment is a much more accurate measure of school age children in a district.

Testifying for the bill was the State Department of Elementary and Secondary Education.

Opponents: No opposition voiced to the committee.

HB 435 -- Federal Fair Labor Standards Act Compliance

Sponsor: Rojas

Committee Action: Reported from Employment Security
& Fair Employment Practices Committee on a 4-1 vote.

Would bring all employees of the state and its political subdivisions under the provisions and protections of the Federal Fair Labor Standards Act.

Proponents: Supporters say the bill is needed to assure public employees of receiving the same minimum wages and protections given to private employees under the Federal Fair Labor Standards Act.

Testifying for the bill was the Missouri State Council 72, A.F.S.C.M.E., AFL-CIO.

Opponents: Opponents argue small communities will object to the bill because they do not want the state or anyone else dictating salary levels and benefits for their employees.

Testifying against the bill was the Missouri Municipal League.

HB 316, HCA 1 -- Relating to County Judges

Sponsor: Mead, Holt et al

Committee Action: Reported from Government Organization
Committee on a 9-0 vote.

Would change the term "county judge" to "county commissioner." The county commissions would consist of one county commissioner elected at large from the county and two associate commissioners elected from districts.

Proponents: Supporters say the name change would more accurately reflect the duties of county judges. The public, they say, frequently believes that county judges are attorneys, and that they should perform the duties of attorneys and judges. County judges perform quasi-legislative duties, and the term "commissioner" would more accurately reflect their duties.

Testifying for the bill were presiding judges from Randolph, Cooper, Pemiscott, Grundy, Boone, Greene and Newton Counties and the Missouri Farm Bureau Federation.

Opponents: No opposition voiced to the committee.

— HB 262 -- County Land Trusts Compensation

Sponsor: Kenton, et al

Committee Action: Reported from Fees, Salaries
and Retirement Committee on an 8-0 vote.

— Would raise the salary of land commissioners
in first-class counties from \$5,400 to \$6,000
minimum per year, and from \$6,400 to \$12,000
maximum per year. It would raise the salaries
of one chief field deputy and one chief
accountant from \$3,400 to \$6,000 per year
minimum. The bill would also raise the
salaries of other employees \$2,880 and \$6,000
minimum, and from \$3,360 to \$7,680 maximum.

Proponents: Supporters argue higher salaries
are needed to enable employees to cope with
inflation.

Testifying for the bill was the Land Trust
of Jackson County

— Opponents: No testimony in opposition voiced
to committee.

HB 194 -- Reimbursement for Grand and Petit
Jurors

Sponsor: Randall

Committee Action: Reported from Fees, Salaries
and Retirement Committee on a 7-0 vote.

Would increase the compensation of grand and petit jurors from \$6 per day to \$15 per day, and increase the mileage allowance from 7-cents to 15-cents per mile. Jury costs for non-criminal cases would be assessed at \$15 per day rather than \$12.

Proponents: Supporters say the reimbursements, especially for mileage, should be raised because of inflation.

Opponents: No testimony in opposition voiced to committee.

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HCS HB 43 -- St. Louis Election Board

(Sponsor: Mueller (62), Sweeney
Committee Action: Reported from Fees, Salaries
and Retirement Committee on a 7-1 vote.

(Would increase the salaries of the directors
of the St. Louis Board of Election Commissioners
to a maximum of \$19,245 per year from the
current \$17,900. Other supervisory personnel
would also receive raises. The bill provides
that other employees would receive the same
percentage increases each year that are given
the city's merit system employees. The bill
would also increase the pay of election judges
to \$30 a day from the current \$25.

Proponents: Supporters say the St. Louis
election commissioners work hard and deserve
higher pay.

Testifying for the bill was the St. Louis
Board of Election Commissioners.

(Opponents: No testimony in opposition voiced to
committee.

HB 311 -- State Employee Retirement System

Sponsor: Zych, et al

Committee Action: Reported from Fees, Salaries and Retirement Committee on a 9-0 vote.

Entitles members of the Missouri State Employees' Retirement System to retirement credit for service prior to September 1, 1957, if they have 10 or more years of continuous membership after September 1, 1957.

Proponents: Supporters say it is unfair for persons who worked for the state prior to 1957, who had to quit for a few years (to raise children, etc.) and then returned to state employment to not have their prior work experience tabulated in retirement benefits.

Testifying for the bill was the St. Louis Metropolitan Area of Missouri State Employees Association.

Opponents: No opposition voiced to committee.

HB 574 -- Teacher and School Employee Retirement Systems

Sponsor: Mueller (62)

Committee Action: Reported from Fees, Salaries and Retirement Committee on a 9-0 vote.

Would make a change in the computation of retirement benefits for members of the school retirement system in St. Louis by taking into account a member's receipt of Social Security benefits. The bill would provide two additional options for payment of benefits upon the death of the member. It would permit the board of trustees to make investments and place securities in the name of a nominee in order to facilitate the transfer of the securities or investments. The bill also would provide that a retired educational secretary who is currently receiving retirement allowances may serve as a substitute educational secretary without having the retirement allowances reduced.

Proponents: Supporters say the bill would result in only a slight cost to the school districts and no cost to the state. They also say the bill, which has been proposed for the past three years, is actuarially sound. Testifying for the bill were the St. Louis Public School System and the Public School Retirement System of St. Louis.

Opponents: No opposition voiced to the committee.

HB 422, HCA 1 -- Salaries for Jury Commissioners and
Deputies

Sponsor: Kostron, et al

Committee Action: Reported from Fees, Salaries and
Retirement Committee on a 7-0 vote.

The bill increases: (1) the salary of the Jackson County Jury Commissioner from \$6,600 to \$17,000, and provides that his job will be full time, (2) the salary of the St. Louis Jury Commissioner from \$17,000 to \$20,000. The bill provides that the above salaries are subject to approval of the Board of Estimate and Apportionment upon recommendation of the circuit court judges meeting en banc. The bill also increases the maximum yearly salaries of deputy commissioners from \$8,700 to \$10,400, and that of the chief deputy from \$11,000 to \$13,200.

Proponents: Supporters say the work load for these employees has increased, but their salaries have not. For instance, the salary for Jackson County jury commissioners has not changed since 1961.

Testifying for the bill was the Jackson County Jury Commissioner.

Opponents: No testimony in opposition voiced to the committee.

HB 279 -- County Surveyors

Sponsor: Baker

Committee Action: Reported from Governmental Organization
Committee on a 9-0 vote.

Would require that county surveyors be registered as land surveyors; changes the statutory fee schedule for county surveyors in third and fourth class counties to the same as the one for second class counties; provides for filling a vacancy of county surveyor by appointment of the county court; establishes procedures for re-establishing decayed section and quarter-section corners which will be comparable with modern surveying equipment and procedures; requires that the county surveyor maintain a copy of all section and quarter-section corner perpetuations and re-establishments within the county.

Proponents: Supporters testified that the fee schedule is impractical and out-of-date and, although expenses are the same for all classes of counties, the statutory fee for third and fourth class county survey is lower than for second class counties. The statutory fee is not limited to surveys requested by the county court, but includes surveys of private land for private owners. Because of the low fee schedule, people are reluctant to run for the office. Supporters of the bill say methods in the present statutes for re-establishing decayed or destroyed sections and quarter-section corners are in conflict with federal instructions.

Testifying for the bill were the Registered Land Surveyors and the State Land Surveyor.

Opponents: No opposition voiced to committee.

HB 95 -- Interest on Judgments

Sponsor: Youngdahl

Committee Action: Reported from Judiciary Committee
on a 12-0 vote.

Would amend a section of the Statutes by raising interest rates allowed to accrue on final judgements from 6% to 8%.

Proponents: Supporters say the bill is needed because low interest rates encourage frivolous appeals.

Opponents: No testimony in opposition voiced to committee

HB 486, HCA 1 -- Termination Statements

Sponsor: Mead

Committee Action: Reported out of Judiciary Committee
by an 11-0 vote.

The bill requires lenders to file termination statements after a debt is satisfied, except in the case of future advance contracts.

Proponents: Supporters say that outdated security agreements on record clutter recorders' files and operate to the inconvenience of debtors. This would also bring Missouri into conformance with other states.

Testifying for the bill were the Missouri Association of Recorders, Director of U.C.C., and the Secretary of State's office.

Opponents: No opposition voiced to the committee.

HCS HB 421 -- Regulation of Proprietary Schools

Sponsor: Heflin

Committee Action: Reported from License and Related
Matters Committee on a 5 - 1 vote

Provides for the regulation of proprietary schools which offer technical and vocational training. Schools would be issued certificates of approval by the Coordinating Board for Higher Education. The bill provides for a proprietary school advisory committee, composed of nine members, to advise the Coordinating Board on matters of interest to proprietary schools. Operation of a proprietary school without a certificate of approval would be a misdemeanor. The Attorney General could seek an injunction if any school operated in violation of the act. Registration fees for each school and each branch or separate location would be \$200 annually, and there would be an annual fee for agents of \$25. Certain schools, such as public institutions, non-profit schools operated by religious organizations and those exempt from property taxes would be exempt from the provisions of the act, as well as those offering courses which do not teach marketable skills or those which offer free training, a course of study for a trade, business, or professional organization with a closed membership, or junior colleges, colleges and universities which are accredited or part of a special school district.

Proponents: Supporters testified the bill is a consumer protection measure to assure individuals who attend proprietary schools in Missouri that the schools they are attending meet minimum standards. There are approximately 350 proprietary schools in Missouri.

Testifying for the bill were the Missouri Association of Private Career Schools, State Coordinating Board for Higher Education, Dale Carnegie Institute, Missouri Association of Student Financial Aid and the Governor's Conference on Education.

HCS HB 421 -- Regulation of Proprietary Schools

Opponents: No testimony in opposition voiced
to committee.

HCS HB 32 -- Liquor Licenses, Character Requirements

Sponsor: Blassie

Committee Action: Reported from Local Government and
Related Matters Committee on a 10-1 vote.

Provides that any person under the age of 21 who represents that he or she has attained the age of 21 for the purpose of buying liquor shall be deemed guilty of a misdemeanor. The bill would punish the offender and not the owner of the establishment where the violation was committed. The bill also provides for ten more special liquor agents.

Proponents: Supporters say offenders should be punished rather than punishing the owner of a business establishment by closing it down.

Testifying for the bill was the Department of Public Safety.

Opponents: No testimony in opposition voiced to the committee.

HB 403 -- Uniform Motor Registration Fee

Sponsor: Hoffman (89)

Committee Action: Reported from the Motor Vehicle and
Traffic Regulation Committee by a 7-1 vote.

The bill would set a uniform registration fee for most motor vehicles of \$24 per year, rather than having a fee based on horsepower. The bill would also set an annual fee of \$12 for motorcycles.

Proponents: Supporters say that a single fee would simplify the operations of the Revenue Department.

Testifying for the bill were the Department of Revenue and Missouri Highway Department.

Opponents: No opposition was voiced to the committee.

HB 775 -- Charges to Municipalities of Fire Protection
Districts

Sponsor: Becker, et al

Committee Action: Reported from Municipal Corporations
Committee on a 7-0 vote.

Makes it unlawful for any public water supplier to charge any local governmental body within its water system for fire hydrants or water used in them. The cost of providing hydrants or water may be used as overhead for the water company in determining general rates, but the cost may not be billed to local governments specifically.

Proponents: Supporters say water companies have attempted to set rates for municipalities at high levels on the assumption that the municipalities can afford the high rates. The municipalities have no choice but to pay the set rate.

Testifying for the bill were the Consolidated Fire Service of Missouri and Rock Community Fire Protection District.

Opponents: No opposition voiced to the committee.

HB 537, HCA 1 -- County Health Centers

Sponsor: Roderick

Committee Action: Reported from Public Health and Safety
Committee on a 6-1 vote.

Would amend the section dealing with the tax levy for county health centers by lowering the majority required for passage of levies for county health centers from two-thirds to a simple majority. The bill contains an emergency clause.

Proponents: Supporters say counties continually fail to obtain approval of levies for maintenance and operation of county health centers because of the two-thirds majority needed. They say many small counties provide health services to their citizens which would not otherwise be available, and there has become a desperate need in some counties for approval of the levies.
Testifying for the bill were the State Division of Health and several county health nurses.

Opponents: No opposition voiced to the committee.

HB 633 -- Medical Assistance Payments

Sponsor: Goward

Committee Action: Reported from Social Services and
Medicaid Committee on a 9-0 vote.

Would require benefit payments for medical assistance to eligible needy persons. Benefits covered include: in-patient hospital services, out-patient hospital services, laboratory and X-ray services, physician's services, dental services, drugs and medicine, emergency ambulance services, optometric services and family planning services. Payments for persons in practical nursing homes would be raised to \$250 per month from the current \$200, and those in domiciliary nursing homes would raise to \$200 from the current \$150.

Proponents: Supporters argue more assistance is needed for persons residing in nursing homes because of inflation.

Testifying for the bill were the Memorial Nursing Home in Warrenton and the Missouri Nursing Home Association.

Opponents: No testimony in opposition voiced to committee.

HB 578, HCA 1 -- Foster Care

Sponsor: Sego, et al

Committee Action: Reported from Social Services and
Medicaid Committee on a 5-0 vote.

Would give the Division of Family Services the power to accept and care for homeless and dependent children in all counties, and would define the care that can be provided including room and board, clothing, medical care, dental care, social services and incidentals. All counties in the state which provide foster care for the homeless, dependent and neglected will receive from the state 100 percent of the net cost of such care.

Proponents: Supporters say counties are in need of assistance because of the financial burdens and problems connected with child care.

Testifying for the bill were the State Division of Family Services, Missouri Association of Counties, Boone County Circuit Court and the office of Jackson County Counselor.

Opponents: No opposition voiced to the committee.

HB 476 -- Equal Opportunities for the Handicapped

Sponsor: Hoffman (89)

Committee Action: Reported from Social Services and
Medicaid Committee on a 7-0 vote.

Would enact provisions aimed at giving qualified handicapped persons equal employment opportunities. It would be unlawful for employers, labor unions, and employment agencies to discriminate against persons who are able to perform job functions. Organizations would be required to make reasonable accommodations to the known physical or mental limitations of handicapped persons. It would also be unlawful to refuse to rent or sell property or refuse real estate loans because of a person's handicapped condition.

Proponents: Supporters say handicapped persons are eager to be productive, and this bill would provide greater opportunities for them in the labor market. It would also help handicapped persons in the area of housing.

Testifying for the bill were Goodwill Industries, Missouri Association of Retarded Citizens, Eastern Citizens' Advocacy Office, St. Louis Legal Aid Society, National Paraplegic Foundation, White House Conference on the Handicapped, Employment Agency for and Administration by Handicapped Persons and Paraquad, Inc.

Opponents: No opposition voiced to committee.

HB 209 HSA 1, Penalties for Animal Cruelty

Sponsor: Mathewson

Committee Action: Reported from State Parks, Recreation
and Natural Resources Committee on a 13-3 vote.

Would increase maximum punishment for willful and malicious cruelty to animals from a three-month confinement and/or a \$50 fine to six-month confinement and/or a \$500 fine. The bill would also make it illegal to abandon an animal. Presently, abandoning an animal is illegal only if it is "cruelly abandoned to die." The bill would also provide for the same punishment for those who cruelly over-work; fail to provide proper food, drink or shelter for; or abandon their animals. Presently, these actions constitute a misdemeanor, but have no punishment specified in the statutes.

Proponents: Supporters argue the present law is not stiff enough to prevent cruelty to animals. They also say the wording changes in the bill would make it easier to get a conviction.

Testifying for the bill were the Heart of Missouri Humane Society and the Humane Society of Missouri.

Opponents: No testimony offered in opposition to the bill, however questions were raised that the language change from "or shall cruelly abandon the same to die" to "or shall abandon the same" is too general.

HB 722 HCA 1 -- Regarding Displaced Homemakers

Sponsor: Shear, et al

Committee Action: Passed from the State
Institutions and Property Committee by an
8-0 vote.

The bill would require the director of the Department of Social Services to establish a pilot multi-purpose service center in Springfield for displaced homemakers. The center would provide job counseling services, job training and placement, health education, financial management service, educational and legal services among others. Those eligible for these services would be persons who have worked in a home providing unpaid household services for ten years or more, who have been dependent on the income of another family member within the last two years, and who have or would have difficulty in finding work. The act would be effective July 1, 1977, and expires June 30, 1979.

Proponents: Supporters say that the bill would help displaced homemakers obtain counseling, training and aid in obtaining a job.

Testifying for the bill were the Missouri Public Interest Group, Family Services, and the Coalition of Labor Women.

Opponents: No opposition voiced to the committee.

HB 119 -- Division of Air Search and Rescue

Sponsor: Heflin, Binger

Committee Action: Reported from Transportation
Committee on an 18-0 vote.

Would establish a Division of Air Search and Rescue within the Department of Transportation. It would provide communications, rescue work, mercy missions and other search and rescue services. The duly appointed commanding officer of the Civil Air Patrol, Missouri Wing would serve as ex-officio head of the division.

Proponents: Supporters say the bill is needed to allow the Civil Air Patrol to continue their efforts of emergency rescue work. The bill would allow the Division of Air Search and Rescue to accept grants and other funds with the Transportation Director's consent. Supporters say this money is needed to pay upkeep and for additional radio equipment, plus help on expenses of fuel and lubricants on missions. They also point out the Civil Air Patrol has helped save the lives of 57,000 persons around the country.
Testifying for the bill was the Missouri Civil Air Patrol.

Opponents: No opposition voiced to committee.

HB 420 -- License Term for Certain Inspection Stations

Sponsor: Sego

Committee Action: Reported from Transportation
Committee on a 20-0 vote.

Would amend current statutes by changing the present period of one year for the issuance of licenses for motor vehicle inspection program inspection stations to a period of one, two or three years. The bill would also allow permits to be issued on a rotating basis each month rather than the present January 1st date. The cost would remain \$10 a year.

Proponents: Supporters say the bill would make issuance of motor vehicle inspection station permits easier and more efficient. Supporters also contend that this bill would save about \$20,000 annually in administrative costs to the inspection station operators and the State Highway Patrol.

Testifying for the bill was the Missouri Highway Patrol.

Opponents: No opposition voiced to committee.

HB 373 -- Motor Vehicles Operator's Licenses

Sponsor: Hoffman (89)

Committee Action: Reported from Transportation Committee
on a 17-3 vote.

Would repeal sections relating to motor vehicle operator's and chauffeur's licenses, and enact two new sections relating to the same subject. The bill would increase the fee for operator's licenses to \$5 from the current \$3, and increase the fee to obtain a duplicate license for a chauffeur's license or motor vehicle license to \$5 from the current \$3. The bill contains an effective date of January 1, 1978.

Proponents: Supporters say it is necessary to increase the license fees because of higher costs involved in making and administering the Motor Vehicle License Program.

Testifying for the bill was the State Highway Department.

Opponents: No opposition voiced to the committee.

HB 374 -- Motor Vehicles Fees for Certificates

Sponsor: Hoffman (89)

Committee Action: Reported from Transportation Committee
on an 11-7 vote.

Would repeal sections relating to certificates of motor vehicle ownership and enact six new sections relating to the same subject. The bill would increase the fee for certificates of ownership of motor vehicles to \$5 from the present \$1. The bill contains an effective date of January 1, 1978.

Proponents: Supporters say increased fees for certificates of ownership and duplication is needed to counter increased administrative costs and as an incentive to discourage unnecessary duplication of motor vehicle titles.

Testifying for the bill was the Missouri Highway Department.

Opponents: No opposition was voiced to the committee.

HB 257, HCA 1 -- Forbidding Certain Ordinances Regarding
"For Sale" Signs

Sponsor: O'Toole

Committee Action: Reported from Urban Affairs Committee
on a 6-3 vote, with one member voting present.

Forbids any political subdivision of the state from restricting signs of reasonable dimensions displayed on a piece of property advertising the property being offered for sale, the owner's or agent's name and the address and phone number. The committee amendment would allow local ordinances to define what are 'reasonable dimensions.

Proponents: Supporters argue the right to advertise one's property for sale is tied to the first amendment right of free speech. A representative of the Missouri Association of Realtors testified that in a study conducted several years ago by his organization, 23% of property sales were generated by "for sale" signs, and 7% by newspaper ads. Prohibition against "for sale" signs, therefore, hurt small realtors and individuals trying to sell their property. Testifying for the bill was the Missouri Association of Realtors.

Opponents: Those opposing the bill argue that local ordinances regarding these signs were approved for a specific purpose, and that legislative action in this area should be left on the local level not on the state level.

Testifying against the bill were the Missouri Municipal League and the St. Louis County Municipal League.

HCS HB 303 -- Relocation Assistance

Sponsor: Doll

Committee Action: Reported from Urban Affairs
Committee on a 7-0 vote, with one member voting
present.

Requires a public agency to give a displaced person relocation assistance including repayment of relocation costs when acquiring property for public use through condemnation proceedings. Currently, the law requires an agency to do so only as a condition to receiving Federal funds. The cost of implementing this bill would be borne by the agency involved. Federal funds are available for this provision at the same rate as Federal participation in the project.

Proponents: The Highway Department testified the bill would bring the bill in line with the Federal Uniform Relocation Assistance and Property Acquisition Act.

Testifying for the bill was the city of Kansas City and the Missouri Highway Department.

Opponents: No opposition voiced to the committee.

HB 246, HCA 1 -- Relating to Employees Crossing Picket Lines
to Receive Workmen's Compensation Benefits

Sponsor: Garrett

Committee Action: Reported from the Workmen's Compensation
Committee by an 8-0 vote

This bill would prevent an employer from selecting a physician, surgeon, or hospital where an employee would be required to cross a lawful picket line to receive services to which he is entitled under workmen's compensation benefits.

Proponents: Supporters say that employees do not want to cross picket lines to receive their Workmen's Compensation Benefits.

Opponents: No opposition voiced to the committee.

HCS for HB 573 Prohibits Government Purchases of Beef
from Outside the United States

Sponsors: Dunning et al

Committee Action: Reported from the Agriculture
Committee on a 15-7 vote.

This bill would make it unlawful for state and local governmental units to purchase beef produced outside the United States or any of its territories. Violation of this law would be a felony punished by a fine of not less than \$500 nor more than \$5,000 or imprisonment for not more than five years or less than one year.

Proponents: Supporters say this bill is needed to protect and boost the cattle industry in the state. Supporters say that farmers need every help available to survive in the cattle industry since costs have increased while prices have decreased over the last five years. They say that it is unfair for American cattle producers to be required to operate under strict meat inspections and FDA regulations if foreign beef producers do not.

Testifying for the bill were Missouri Department of Agriculture, National Farmers' Organization, Missouri Farm Bureau, Midcontinent Farmers Association, Missouri Cattlemen's Association, Association of Missouri Beef Producers, and several state cattle producers.

Opponents: No formal opposition to the bill but some committee members thought that such a law would be unconstitutional or against ICC regulations.

HCS HB 37 -- Civil Disabilities of Persons Convicted
of a Felony

Sponsor: Williams

Committee Action: Reported from Civil and Criminal
Justice Committee on a 10-1 vote.

The bill changes the present law so that all first-time felons are treated in an equal manner. As it now stands, some first-time felons can have their civil disabilities (right to vote, hold public office, etc.) removed, while others are not. Under the bill all first-time offenders who show two years of rehabilitation without conviction for any crime, even a misdemeanor (exclusive of traffic offenses), can be restored to full citizenship. Subsequent felony offenders will also have the choice of rehabilitating themselves to full citizenship, but they will be required to show no criminal convictions for twenty years.

Proponents: Supporters say rehabilitated felons should be given a chance to have their civil disabilities removed. They say this bill gives those who have had bad records something to work toward - a reason to make a solid attempt at rehabilitation.

Testifying for the bill were the Missouri Board of Probation and Parole, Division of Corrections and the Division of Mental Health Council on Drug Abuse of St. Louis.

Opponents: No testimony in opposition, however questions were raised that persons with two or more convictions should not be granted some citizenship rights. They argue one mistake may be allowable, but two or more cannot be treated lightly.

HB 480, HCA 1 -- Emergency Planning and Operations

Sponsor: Proffer

Committee Action: Reported from Federal-State Relations
& Veterans Affairs Committee on a 14-0 vote.

Revises the statutes regarding emergency powers within the state. The bill defines powers which may be used to deal with emergency situations including: suspension of regulatory statutes affecting the conduct of state business; transfer of state personnel to aid in emergencies; utilization of private property; evacuation; price control and rationing. The bill allows the state to distribute federal funds which have recently been made available for the purpose of making loans to local governments and grants to individuals that have been affected by a disaster. State personnel would be permitted to use state equipment to clear private property of debris if the state was held harmless. The bill requires all counties to have an organization for disaster preparedness (counties may be consolidated in one organization) and replaces the "Disaster Planning and Operation Office, Civil Defense" with the "Civil Preparedness Agency", which is required to keep an updated state disaster plan.

Proponents: Supporters say the bill will increase the capacity for emergency preparedness and response, and clearly defines many of the powers and duties of the Governor, which are now only assumed to exist. Supporters add that the bill would allow the state to benefit from recently enacted Federal legislation. Testifying for the bill was the Disaster Planning and Operation Office, Civil Defense.

Opponents: No testimony in opposition voiced to the committee.

HCS HB 235, 309 -- Good Samaritan Bill

Sponsor: Zych (HB309), Treppler, Roderick, Rollins, Riley,
et al.

Committee Action: Reported from Judiciary Committee on a
9-1 vote.

Provides that medical doctors and registered nurses rendering emergency care or assistance in good faith cannot be held liable for any civil damages other than those determined to result from gross negligence or wilful or wanton acts of omission by the person rendering the emergency care.

Proponents: Supporters say the bill would encourage skilled medical personnel to render aid in emergencies without fear of malpractice action.

Testifying for the bill was the Missouri Medical Association.

Opponents: No opposition was voiced to the committee.

HB 168 -- Witness Immunity

Sponsor: Dill

Committee Action: Reported from Judiciary Committee
on a 9-3 vote.

Would allow the State Attorney General, prosecuting attorneys or circuit attorneys to request the use of immunity for a witness from the circuit court. The use of immunity does not apply to prosecution for perjury or contempt of court for failure to answer questions.

Proponents: Supporters argue enactment would gain evidence against individuals who are "up the ladder" in organized crime.

Testifying for the bill was the Missouri Attorney General's office.

Opponents: No testimony in opposition voiced to committee, however questions were raised that this could be a dangerous weapon in the hands of a vindictive prosecutor

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*This edition contains corrected or amended material. Please destroy the original page and replace it with the corrected one supplied in this edition.

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HB 57, HCA 1 Sale of Intoxicating Beverages

Sponsor: Blassie

Committee Action: Reported from the Local
Governments and Related Matters Committee
on a 14-0 vote, with one voting present.

Would permit establishments licensed to sell liquor-by-the-drink to stay open weekdays until 4:a.m. if they obtain a special permit from the supervisor of liquor control. This would apply in cities of over 400,000 population and in cities in first-class counties. Permits could not be issued until the city in which the establishment is located has adopted the provisions of this act.

Proponents: Supporters argue the bill would promote tourist and convention trade.

Testifying for the bill were the St. Louis Regional Commerce & Growth Association, Kansas City Conventions Bureau, Missouri Hotel & Motel Association, St. Louis Small Tavern Owners Association, and a representative of Anheuser Busch.

Opponents: No opposition presented to the committee

HCS HB 577---Committee on Handicapped
Employment

Sponsor: Mathewson and Dill

Committee Action: Reported from Workmen's
Compensation Committee on an 8-0 vote.

Would establish the "Governor's Committee on Employment of the Handicapped" and assign it to the Department of Labor and Industrial Relations. The members shall be appointed by the department director for a term of four years, with the exception of the chairman who shall be appointed by the Governor, and an Executive Secretary appointed by the chairman and the department director. The committee shall (1) act in an advisory capacity to all state agencies, (2) cooperate with the President's Committee on Employment of the Handicapped, (3) plan and conduct a continuing program to promote the employment of handicapped persons by creating statewide interest in the rehabilitation and employment of the handicapped, (4) initiate, or analyze and work closely with local committees to promote acceptance of qualified handicapped workers, (5) prepare an annual report to be presented to the Governor no later than January first of each year. Funds for this committee will come from the Department of Labor and Industrial Relations, and are estimated by the committee on Fiscal Affairs to be \$17,550 FY 77-78 and \$23,400 in FY 78-79.

Proponents: Supporters say hiring the handicapped is good business and is economically sound. For instance, for every \$1.00 invested by government in employing the handicapped, \$5.00 is returned in the form of increased tax revenues. Also, the bill provides state assistance for communities in their efforts to solve the problem.

(Testifying for the bill were the Governor's
Committee on Employment of the Handicapped
and the Missouri State Labor Council, AFL-CIO.

Opponents: No opposition voiced to committee.

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(John Richardson, Research Analyst

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— HCS HB 492---Expenditure of Appropriate Funds

Sponsor: Brady

Committee Action: Reported from Governmental
Review Committee on a 9-1 vote.

- Would allow the General Assembly to appropriate funds to the Clean Water Commission of the Department of Natural Resources for control of storm water in any first-class county with a population over 450,000, or any charter city not within a county. The Commission shall administer these funds. The bill contains an emergency clause.

Proponents: Supporters say storm water control is a top priority for St. Louis County and the Missouri Municipal League.

Testifying for the bill were the cities of Northwoods and Bellefontaine Neighbors.

- Opponents: No testimony in opposition was voiced to the committee.

HJR 21 -- Issuance of Revenue Bonds

Sponsor: Riley

Committee Action: Reported from Consumer Protection
Committee on a 12-1 vote, with two members voting present.

Would submit a constitutional amendment to voters to allow cooperating municipalities or other political subdivisions to jointly issue revenue bonds for the purchase, construction or improvement of utilities, plants or airports to be jointly owned and operated by the cooperating municipalities or political subdivisions. The passage of HJR 21 will allow implementation of House-passed HB 331, which enumerates the powers and duties of joint boards, commissioners or officers established by joint contracts between political subdivisions.

Proponents: Supporters say the pooling of resources will bring more economical services to the cooperating Political subdivisions.

Testifying for the bill were the Commission for Municipal Pooling Services, Missouri Association of Municipal Utilities, Association of Missouri Electric Cooperatives.

Opponents: Those who oppose the bill argue municipal pooling of utility services will duplicate already existing public utility services and will constitute unregulated competition with them.

Testifying against the bill was the Missouri Public Service Company.

HJR 2 -- Limitation on Submission of Bond Issues

Sponsor: Scaglia

Committee Action: Reported from Governmental Organization
Committee on a 7-0 vote with one member voting present.

Provides that no bond issue proposal could be re-submitted to the voters more than once in a 12-month period if the measure failed by more than 5% of the votes necessary for its passage, nor could the proposal be combined with another and submitted to the voters during the 12-month period. HJR 2 relates only to general obligation bonds.

Proponents: Supporters say there is considerable cost involved in bond issue elections, and if there were a limitation on the number of times these proposals could be submitted to voters, it would give the citizens more time to study them.

Opponents: No opposition voiced to the committee.

HJR 14 -- Pooling of Utilities

Sponsor: Heflin

Committee Action: Reported from the Urban Affairs
Committee on a 4-2 vote, with 3 members voting present.

Would put before the voters a constitutional amendment to allow a municipality to issue revenue bonds together with other municipalities and enter into joint ownership arrangements regarding certain revenue-producing public facilities. Operating and maintenance costs are to be paid solely from revenue deriving from the facility. Passage of HJR 14 will enable implementation of HB 127.

Proponents: Supporters say the city of Independence needs the measure to allow it to join with the Kansas City Power and Light Company in the construction of a power plant facility. They say this joint construction would result in a big savings for the taxpayers of Independence.
Testifying for the measure was the mayor of Independence and other city officials.

Opponents: Those opposing HJR 14 fear it would conflict with HJR 21, which would allow the establishment of joint contracts between municipalities. Opponents say this measure is too narrow, and the purpose of the legislation would be better served by passing and/or amending HJR 21.
Testifying against the bill was the Commission for Municipal Pooling Services of the Missouri Association of Municipal Utilities.

HCS HB 535 -- Conflicts of Interest

Sponsor: O'Toole

Committee Action: Reported from Judiciary Committee on
a 14-0 vote.

A comprehensive bill which: (1) defines "agency", "business", "client", "commission", "designated public official", "filing officer", "financial interest", "gift", "immediate family", "income", "person" and "public official"; (2) requires the filing of financial statements by all designated public officials before taking office and, when appropriate, while in office and after leaving office; (3) details the contents of a financial statement; (4) sets forth some of the duties of a filing officer; (5) prevents former public officers for a period of two years from appearing before an agency by which he was employed, or from receiving compensation for working on matters with which he was involved when holding office; (6) prohibits a public employee or officer from transacting business in his official capacity which could be construed as self-dealing; (7) requires designated public officials to disqualify themselves from making decisions where self-interest would be affected; (8) defines administrative procedures; (9) sets the following penalties: failure to file statements would result in a fine of \$10 per day up to a maximum of \$300, after ignoring notification by registered letter there arises a presumption of willful refusal to file and, if proven, would be punishable by a fine of not more than \$10,000 and/or confinement for a term not to exceed five years. Other violations of the act are misdemeanors, punishable by a fine or not more than \$5,000 and/or confinement not to exceed one year. The statute of limitations is set at four years.

Proponents: Supporters argue the bill would prevent conflicts of interest and when there is a question that they have occurred, to alert the public through the disclosure provisions.

Testifying for the bill was Common Cause.

Opponents: No opposition voiced to the committee.

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HCS HB 158 -- Solicitation of Charitable Funds Act

Sponsor: O'Toole

Committee Action: Reported from Judiciary Committee
on a 15-0 vote.

Would provide for a registration of professional fundraisers, require them to file a schedule of rates charged, and require all solicitation materials to carry a notice to the effect that a professional fundraiser has been employed.

Proponents: Supporters say money given to professional fundraisers is often diverted for administrative expenses of the fundraiser, and persons being solicited should know if a professional fundraiser has been employed.

Testifying for the bill was the Missouri Attorney General.

Opponents: No formal opposition to the version reported from committee, however there was opposition to a requirement in the original bill for registration of all charities which solicit funds. The strong opposition from legitimate charities such as churches led to removal of these provisions.

HCS HB 867 -- Budgeting, Appropriations - Justification

Sponsor: Goode, Vossmeier, Gardner, Mathewson
Committee Action: Reported from the Governmental
Review Committee on a 10-0 vote.

Would require state departments, divisions and bureaus (down to the smallest organizational unit) to present detailed budgets each year itemizing all existing and anticipated expenditures in 15 separate categories. This would be required any time the budget amount requested is in excess of 90% of the previous year's appropriation. This procedure would be called "reduced base review." If not followed, it would result in only 10% of the amounts previously allocated for a program being appropriated.

Proponents: Supporters say this bill addresses both zero-based budgeting and 'sunset' concepts, and offers a workable compromise. They argue it would force agencies to again calculate and justify their priorities.

Opponents: No opposition voiced to the committee.

HB 668, HCA 1,2,3,4 -- State Employees' Workmen's
Compensation Fund

Sponsor: Meyer, Fendler, et al

Committee Action: Reported from Workman's Compensation
Committee on a 7-0 vote.

Provides that the Director of the Division of Labor Standards may have the option to either insure or self-insure all state employees. The director must first receive the approval of a majority of the members of a committee consisting of himself, the director of the Division of Insurance, the State Treasurer, Speaker of the House and President Pro-Tem of the Senate. Currently, this option lies with individuals in the three branches of government and in the departments or divisions extending from these branches. An attached fiscal note shows the bill would result in a net savings to the state of \$1,301,548 in FY 78-79

Proponents: Supporters say the bill is needed to centralize within one agency, the responsibility to decide if the state will purchase insurance for or self-insure state employees for workmen's compensation coverage. They also argue it would allow the Division of Labor standards to gain expertise in this field, and therefore make the most efficient decisions relating to workmen's compensation insurance. Supporters also stated the bill would result in a net savings to the state of between \$4 million and \$5 million over the next five years.

Testifying for the bill were the Division of Labor Standards, Department of Labor and Industrial Relations and the Division of Insurance. The office of Administration also testified in support of the bill, however it wanted the option to insure or self-insure, rather than leaving it to the Division of Labor Standards.

Opponents: Those who oppose the bill argue that insurance companies could provide workmen's compensation coverage for state employees cheaper than the state could self-insure them, if they were allowed to bid on all state employees at once instead of each department separately. They further contend that this bill would lead to an

extremely large bureaucratic power being placed in the hands of one person. Additionally, the fundamental principle of government becoming an insurer was questioned.

Testifying against the bill was the American Mutual Insurance Alliance and the American Insurance Associator

HB 251 -- State Employees' Retirement

Sponsor: Marriott

Committee Action: Reported from Fees, Salaries and Retirement Committee on a 7-0 vote, with 4 members voting present.

Would permit persons who work less than 1,500 hours a year to become members of the State Employees' Retirement System, if they have worked at least 120 months (10 years), and if they will pay into the retirement system the amount of contributions that would have been required had they been a member of the system all along. After meeting these requirements, the employee would be considered a member of the system and would get credit for any further time worked.

Proponents: Supporters argue many employees are approaching retirement age but will not have retirement unless this bill is passed. They save persons who have worked many years on a part time basis deserve some benefits. Testifying for the bill were Cornelia Dietrich, House Assistant Clerk and Adelaide Decker.

Opponents: No opposition voiced to the committee.

HCS HB 345 -- License Permits for Sale of Missouri Wine

Sponsor: Blassie

Committee Action: Reported from Local Government and
Related Matters Committee on a 10-1 vote.

The bill defines "Missouri wine" as wine containing not in excess of 17% alcohol by weight, rather than 14%. It must also be made exclusively from Missouri produce, except the wine spirits that may be required in its production, in accordance with good commercial practice and Federal regulations governing such production. It also provides for a license authorizing sales of wine, containing not in excess of 17% alcohol by weight, by grocers and other merchants and dealers in the original package to consumers, but not for resale. The fee is \$15 per year.

Proponents: Supporters say the bill would help the development of Missouri's fruit and wine industry and would help Missouri compete with other states.

Testifying for the bill were the city manager of Clayton, Missouri Fruit Experiment Station, St. James Winery, Stonehill Winery of Herman, Missouri, Ozark Growers Cooperative, R.H. Ashby Rosate Winery in St. James, Missouri and Bardenheir Winery.

Opponents: No opposition voiced to the committee.

HB 305, HCA 1 -- License Plates for Disabled Persons

Sponsor: Barry

Committee Action: Reported from the Motor Vehicle
Committee by an 8-0 vote.

This bill would allow Special license plates with the international wheel chair accessibility symbol to be issued to physically disabled persons without an additional fee. In addition, disabled veterans whose disability is service connected would be entitled to the plates without payment of any fee.

Proponents: Supporters say that this bill would help a disabled veteran become more independent and the Highway Patrol would be able to identify an automobile that may need special assistance.

Testifying for the bill were the Missouri Highway Patrol, United Cerebral Palsy Foundation, Division of Veterans Affairs, Disabled American Veterans, and Paralyzed Veterans of America.

Opponents: No opposition voiced to the committee.

HB 440, HCA 1 -- Reciprocity for Pharmacists

Sponsor: Cline

Committee Action: Reported from License and Related
Matters Committee on a 6-0 vote.

Would provide for reciprocal licenses for pharmacists from other states who have been licensed as a pharmacist in that state for at least one year. The bill expands actions for which a pharmacist could lose his license for unprofessional or dishonorable conduct. Those actions include (1) violation of federal or state controlled substances laws; (2) dispensing prescription drugs without a prescription; (3) filling a prescription which the pharmacist knows is forged; (4) suspension or revocation of a license in another state for a violation which would be against Missouri law, and which if committed would result in revocation or suspension in Missouri.

Proponents: Supporters argue Missouri should join the 31 other states which have the one-year practice requirement for reciprocity between states.

Testifying for the bill was the State Board of Pharmacy.

Opponents: No opposition voiced to committee.

HB 786 -- Adding to the Powers of the Municipal Housing
Authorities

Sponsor: Holt et al

Committee Action: Reported from the Urban Affairs
Committee on an 8-0 vote, with 1 member voting present.

Would add to the powers of municipal housing authorities by allowing them to manage, lease and operate certain privately owned housing projects with the conditions that the persons and families who occupy the project shall be low and moderate income persons as defined by law or MHDC rules and regulations, and that any profit from management fees shall be applied to improvements in publicly owned housing projects and other authorized activities.

Proponents: Supporters say that this would aid housing authorities in several of Missouri's smaller cities.

Opponents: No opposition voiced to the committee.

HB 127, HCA 1 Regarding Joint Ownership of Public Utilities

Sponsor: Heflin

Committee Action: Reported from the Urban Affairs Committee
by a 7-0 vote, with two members voting present.

Would allow a municipality to acquire and operate electric generating plant facilities and electric transmission facilities located outside its corporate limits but within the state in undivided joint ownership as a tenant in common with at least one electrical corporation. The bill also allows municipalities to contract with a public utility outside its corporate limits but within the state to supply the municipality with electricity. This bill would place this under the jurisdiction of the Public Service Commission. This bill requires approval of HJR 14.

Proponents: Supporters say that the bill would allow Independence to join with Kansas City Power and Light Company in the construction of a power plant facility at a great savings to the taxpayers of Independence. The city needs to do this, supporters say.
Testifying for the bill were the Mayor of Independence and other city officials.

Opponents: Opponents fear that the bill is too narrow and that the purposes of this legislation could better be served in HB 331 or by amending HB 331. They also fear that this would give investor-owned utilities veto power over municipal power arrangements.
Testifying against the bill was the Commission for Municipal Pooling Services, of the Missouri Association Utilities.

Sponsor: Mueller (62), Mathewson

Committee Action: Reported from Transportation
Committee on an 11-3 vote.

Would prohibit the franchisor of any motor vehicle fuel franchise from cancelling a franchise without good cause. The bill would provide that intent to cancel a franchise must be given by written notice of at least 60 days prior to the cancellation date. The bill also provides that a franchisee may bring suit against a franchisor in the circuit courts of the state, and provides certain remedies for unlawful conduct by the franchisor. The bill also provides for a two-year statute of limitations.

Proponents: Supporters say the bill would provide the judicial machinery to ensure fair treatment of service station operators with oil companies in their dealings with oil companies. They say the law is extremely important, and that 13 states now have similar legislation, with 16 others in the process of enactment.

Testifying for the bill was the Service Station Dealers of Missouri, Inc.

Opponents: Opponents say the bill is unnecessary and would give oil companies unfair restrictions with no recourse or protection from unprofitable dealers. Opponents say the bill would also discriminate against reliable and responsible dealers and doesn't allow the oil companies protection against dealer's bad checks. They argue it could force some oil companies out of business in 90 days. Questions about the bill's constitutionality were also discussed by committee members and witnesses.

Testifying against the bill were the Missouri Oil Jobbers Association, Missouri Oil Council, Amoco Oil Company and several service station dealers.

HB 538, HCA 1 -- Registration Fee for Contractors'
Transportations

Sponsor: Mathewson, Holt

Committee Action: Reported from Transportation Committee
on a 10-1 vote, with two members voting present.

Defines what "land improvement contractors' commercial motor vehicles" are, and requires that they be registered with the Director of Revenue. The bill provides for an annual registration fee of \$350 with the maximum gross allowed of 73,280 pounds. The bill would allow contractors to operate their tractors and lowboys on local license, but would extend the present operating radius of 25 miles to 75 miles when the work to be done by the contractor pertains exclusively to soil and water conservation work.

Proponents: Supporters say there are approximately 1,800 small contractors in the state who do soil and conservation work. They argue the bill is needed to allow these contractors to haul their equipment beyond the 25 mile local limit to locations to have repairs made on their equipment. Presently, contractors have to hire someone to transport their equipment into repair shops at a high cost (\$2 plus per mile) or buy expensive beyond-local license that they would only use two or three times a year. Supporters also say the bill would provide additional revenue to the state.

Testifying for the bill were the Missouri Land Improvement Contractors Association, Jefferson City Fabick Tractor Company and several land improvement contractors.

Opponents: Those who oppose the bill argue it would be difficult to enforce because it would be hard to distinguish between soil and water conservation work and other work.

Testifying against the bill was the Chief Engineer of the Missouri Highway Department.

HB 139,HCA 1 -- Parks and Recreational District

Sponsor: Goode

Committee Action: Reported from the State Parks, Recreation
and Natural Resources Committee on an 11-1 vote.

Would provide for the establishment of park or recreational districts encompassing more than one municipality or county, incorporated and unincorporated areas, etc. An election for creation of such a district would be called upon submission of petitions signed by 10% of the voters in the last general election. The district would have powers to construct parks and recreational facilities. They would have power to levy an annual property tax of up to 10-cents on each \$100 assessed valuation without voter approval, once the district itself was approved by the voters. A tax levy above 10-cents would require a majority vote approval.

Proponents: Supporters say the bill gives persons in municipalities or counties not having the money to support a park a chance to combine and create one.
Testifying for the bill was the Missouri Conservation Commission.

Opponents: No opposition voiced to the committee.

HB 620, HCA 1 -- Archaeological, Historical Resources
Conservation

Sponsor: Mead

Committee Action: Reported from State Parks, Recreational
and Natural Resources Committee on an 14-0 vote.

Would require the Department of Natural Resources to designate a state historic preservation officer. This officer would be required: (1) to compile an inventory of archaeological sites and specimens located on state owned lands, and make those results available to governmental agencies; (2) to issue permits for field investigation to groups or institutions. The state reserves exclusive right of field investigation on state land unless a permit is issued. Those investigating without a permit shall be punished by a maximum \$500 fine and/or maximum six months in jail. All state departments, commissions and institutions, as well as counties and municipalities, are required to cooperate fully with the state historic preservation officer for the preservation, protection and field investigation of specimens and sites. Note: An attached fiscal note shows the bill costing the state \$29,880 in FY 77-78, and \$35,996 in FY 78-79.

Proponents: Supporters say the state needs to preserve its archaeological sites and specimens for historical, educational and tourism purposes.

Testifying for the bill were the Conservation Department, Conservation Federation, Missouri Archaeological Society, Advisory Council on History Heritage Trust and Missouri Archaeological Survey.

Opponents: No testimony in opposition voiced to committee.

HB 383 -- Franchise Tax Allocation for Banking Institutions

Sponsor: Proffer

Committee Action: Reported from Revenue and Economics
Committee on a 14-0 vote.

Would require the director of the Revenue Department to allocate proceeds from the 7% franchise tax on banking institutions among all political subdivisions in the county in which the taxpayer institution is situated.

Proponents: Supporters say the bill corrects the present law to allow all libraries in the county to share in the financial institutions franchise tax.

Testifying for the bill was Rep. Marvin Proffer.

Opponents: No opposition voiced to the committee.

HB 772 -- Exemptions from Sales and Use Taxes

Sponsor: Feigenbaum

Committee Action: Reported from the Revenue and Economics
Committee on a 10-5 vote, with one member voting present.

Would exempt all sales tax on insulin, drugs and prosthetic devices which are prescribed by physicians from sales and use taxes, effective January 1, 1978. A fiscal note is attached.

Proponents: Supporters argue the bill would help the poor, sick and disabled by relieving them of the tax burden.

Testifying for the bill was Rep. Bob Feigenbaum.

Opponents: No testimony voiced in opposition to committee.

HCS HB 324 -- Consent for Medical or Surgical Treatment

Sponsor: Roderick

Committee Action: Reported from Public Health and Safety Committee on a 10-1 vote, 1 member voting present.

The bill specifies persons empowered to give consent for medical or surgical procedures in the following instances:

- 1) any person 18 years of age or older for himself;
- 2) parents for minor children in their legal custody;
- 3) minors who are married and for their children;
- 4) any person for the following conditions: pregnancy, excluding abortions; venereal disease; drug abuse;
- 5) adults acting in loco parentis, formally or not, for minors in their care;
- 6) guardians for minor wards;
- 7) adults for minor brothers and sisters in the absence of parents; and
- 8) grandparents for minor children in the absence of parents.

Permission for medical or surgical treatment would apply only in emergencies to all of the above except (4).

Persons providing health care in an emergency would be justified in relying on the statement of the individual caring for a minor child that he is empowered to give consent.

Proponents: Supporters say the age of consent has been lowered for other purposes, and individuals who are 18 years of age or older who are able legally to sign contracts should be empowered to give consent for their own medical treatment. There should also be a provision in the law for individuals acting in a parent's absence to obtain emergency care for minors in their care.

Testifying for the bill was the Associated Students of the University of Missouri.

Opponents: No opposition voiced to the committee.

HB 325 HCA 1,2 -- Examinations for Licensure of Physicians

Sponsor: Roderick

Committee Action: Reported from Public Health and Safety
Committee on a 10-1 vote, 1 member voting present.

The bill gives authority to the Board of Healing Arts to administer the Federation Licensing Examination (FLEX) to applicants for licensure as physicians or surgeons. The FLEX is a standardized examination which is given twice a year at exactly the same time with identical questions given to all persons taking that particular examination. The FLEX contains three parts, and in order to pass the examination, an individual taking the test would have to score at least 60% on each part, with an average over-all score of 75%. No one would be permitted to take the examination more than three times. The Board of Healing Arts would not be permitted to favor any particular school or system of healing.

The bill also provides that the Board of Healing Arts may set the fee, not to exceed \$100. Temporary licenses could be issued at a fee set by the board of not less than \$5.

Proponents: Supporters say the FLEX examination is a fair, standardized examination which insures each applicant that he or she is being tested in an equitable manner.

Testifying for the bill were the Board of Healing Arts, Missouri Medical Association, Missouri Association of Osteopathic Physicians and Surgeons.

Opponents: No testimony in opposition voiced to the committee.

HCS HB 643, 644 -- St. Louis Circuit Attorney Staffing

Sponsor: Blassie

Committee Action: Reported from Local Government and Related Matters Committee on a 7-1 vote, with three members voting present.

Would raise the number of assistants which could be hired by the St. Louis Circuit Attorney from 23 to 33. It would also allow the circuit attorney to hire one chief investigator and would raise the number of clerical employees from 25 to 35. It would also require the circuit attorney to assume all the duties, powers and functions of the prosecuting attorney in prosecuting offenses in the St. Louis Court of Criminal Correction. The circuit attorney would receive additional compensation for these duties, the exact amount depending on salaries set by other statutes. The bill would take effect January 1, 1979.

Proponents: Supporters say the bill would enable the office to be operated more efficiently and would help implement the judicial article.

Testifying for the bill was the St. Louis Circuit Attorney.

Opponents: No testimony in opposition voiced to the committee.

HB 336 -- Emergency Ambulance Service Tax Rates

Sponsor: O'Connor, Schlef

Committee Action: Reported from Local Government and
Related Matters Committee on an 11-0 vote.

Would authorize a fire protection district to raise the levy from 5-cents to 15-cents on each \$100 assessed valuation for emergency ambulance service. Voter approval is required.

Proponents: Supporters say allowing the tax increase would alleviate the expenditure from the general revenue funds and would offset inflationary costs. Presently, the service is free to the public, but since funeral homes are dropping ambulance service because of the high cost, the public is demanding that the service be picked up by fire protection districts.

Testifying for the bill was the Ballwin Fire Protection District.

Opponents: No opposition voiced to the committee.

HB 332 -- Sale of Non-Intoxicating Beer

Sponsor: Schlef, Raisch

Committee Action: Reported from Local Government and
Related Matters Committee on an 11-0 vote.

Would allow waiters and waitresses between the ages of 18 and 21 to sell non-intoxicating beer as well as intoxicating liquors when they are working in establishments where at least 50% of sales are food.

Proponents: A bill approved last year covering intoxicating liquors did not include non-intoxicating beer. This bill corrects the omission.

Testifying for the bill was the Associated Students of the University of Missouri.

Opponents: No opposition voiced to the committee.

HB 472, HCA 1,2 -- Licensing Salvage Yards

Sponsor: Ottinger, et al

Committee Action: Reported from the License and Related
Matters Committee on a 6-0 vote.

Would require the Revenue Department to issue "salvage certificate titles" as proof of ownership of salvaged vehicles. The title would be negotiable and could be assigned only one time. Salvage yards which involve the combined total sale or purchase of less than four vehicles per year would be required to be licensed. The fee would be \$20 per year. Licensees would be required to maintain records for three years of vehicles in their possession. All records would be open to inspection by law enforcement officers. A fiscal note is attached.

Proponents: Law enforcement officers who testified for the bill stated that they need a tool in tracing stolen vehicles, particularly those which are turned over to salvage yards where vehicles are dismantled and the parts sold.

Testifying for the bill were the Missouri Auto and Truck Recyclers, St. Louis County Police, Missouri State Highway Patrol and the St. Louis City Police Department.

Opponents: No testimony in opposition voiced to the committee.

HB 317, HCA 1 -- Cosmetology Instructors

Sponsor: Marriott, et al

Committee Action: Reported from the License and Related
Matters Committee on a 6-0 vote.

Would provide for the creation of a new classification of cosmetologists-instructor trainee. Instructor trainees would have passed the practical examination for instructor and would hold a temporary permit for training as an instructor. Applicants for temporary permits would be required to have completed at least four years of high school (or the equivalent) and hold a Missouri cosmetology license. They must also pass part one of the practical examination, and meet other qualifications with respect to moral character and mental and physical fitness. Examination fees would be \$15, and renewal fees would be \$5. Temporary certificates would be issued for a definite period by the cosmetology board until the instructor trainee completed the remaining requirements to become an instructor. Those requirements would be: (1) a minimum of 20 hours of college credit completed within six years of employment as an instructor; or (2) 1,200 hours of teacher training at a registered cosmetology school. For each three hours of college credit the 1,200-hour requirement would be reduced by 200 hours. Every two years instructors would be required to submit proof of having attended continuing education programs. The bill also contains a provision that following the effective date of this act, no license could be issued to applicants not meeting the requirements of this bill, except that those individuals holding licenses at that time could maintain their licenses if they complied with continuing education provisions. A fiscal note is attached.

Proponents: Supporters say the bill would greatly upgrade the qualifications for instructors.

Testifying for the bill were the State Board of Cosmetology and the Associated Hair Dressers and Cosmetologists

Opponents: No opposition voiced to the committee.

HB 58, HCA 1 -- Licensing of Auctioneers

Sponsor: Binger, et al

Committee Action: Reported from License and Related
Matters Committee on a 6-0 vote.

The bill defines as "auctioneer" and clarifies the definition of "itinerant vendor." It eliminates the requirement that auctioneers be liable for paying "duty" on property sold. License fees would be required to be paid to the county clerk of the county in which the auctioneer is licensed rather than the present method of payment to the County Collector. Licenses issued would be valid in any county for the period issued.

It provides for licenses to be issued for one-month for \$10; three-months for \$20; six-months for \$30; and one-year for \$50. The issuance fee paid to the county clerk would be raised from 50-cents to \$2. Double fees would be charged to auctioneers who do not reside in Missouri.

Proponents: Supporters say the bill would remove inequities in existing statutes, provide for one-year licensing of auctioneers, and change the method of purchasing licenses.

Testifying for the bill was the Missouri Auctioneers Association.

Opponents: No testimony in opposition to committee.

HB 697, HCA 1 -- Collective Bargaining for Fire Fighters

Sponsor: Barry, et al

Committee Action: Reported from the Labor Committee on
a 10-0 vote.

Would allow fire fighters to join together for collective bargaining. They would be allowed to elect an exclusive bargaining agent to bargain for them with the appropriate legislative body. The bill provides a method for the election of the representative. Collective bargaining may encompass wages, hours and other conditions of employment. If an impasse is reached during negotiations, all unresolved issues shall be submitted to a panel of arbiters. The panel may hold hearings, administer oaths, examine witnesses and documents, take testimony and receive evidence and issue subpoenas. Upon completion of all hearings and the taking of evidence, the panel would offer a written decision which would be binding on both parties to the dispute. The bill would not affect volunteer fire fighters and expressly prohibits strikes.

Proponents: Supporters say that a separate collective bargaining bill for fire fighters is necessary because of their unique conditions of employment. They also argue that the binding arbitration provision will be an effective means of eliminating strikes by providing fire fighters an alternative method of settling disputes. Testifying for the bill were the Missouri State Council of Fire Fighters and the International Association of Fire Fighters.

Opponents: No opposition voiced to the committee.

HB 673 -- Ambulance Districts in Malpractice Joint
Underwriting Associations

Sponsor: Griffin

Committee Action: Reported from Insurance Committee on
a 4-0 vote, with two members voting present.

Would include ambulance districts in the definition of
"health care provider" with respect to medical malprac-
tice joint underwriting associations.

Proponents: Supporters say ambulance districts are health
care providers and should be eligible for malpractice
insurance as other health care providers are.

Opponents: No testimony in opposition to the committee.

HCS HB 385 -- Tort Defense Fund

Sponsor: Proffer, Heflin

Committee Action: Reported from Governmental Organization
Committee on an 8-0 vote.

Provides that all state employees would be eligible for coverage under the tort defense fund. The tort defense fund would provide legal services for state employees who are sued over actions taken in connection with their work for the state. The maximum payment which could be covered under the bill would be \$100,000. Penitentiary inmates and patients in state penal facilities or state hospitals would not be included. No payment could be made arising from a claim in connection with the operation of a motor vehicle.

Proponents: Supporters say the provisions of the law covering the tort defense fund have gradually been expanded to include various categories of state employees, and that this all-inclusive bill should be passed in order to eliminate the necessity of amending the law on a piecemeal basis.

Testifying for the bill were the Conservation Department, Highway Patrol, Missouri National Guard, Conservation Federation of Missouri and the State Board of Education.

Opponents: No opposition voiced to Committee.

HB 147, HCA 1 -- Salaries of Clerical Staff for
Prosecuting Attorneys

Sponsor: Seay

Committee Action: Reported from Fees, Salaries and Retirement Committee on an 11-0 vote, with one member voting present.

Would allow the salary of any stenographer or clerk for the prosecuting attorneys in third and fourth class counties to be set by the prosecuting attorney with the approval of the county court. Presently, the salaries are set by law, not to exceed \$4,000 per year in third class counties and \$1,800 in fourth class counties.

Proponents: Supporters argue that stenographers and clerks are not getting enough pay for the amount of work they do. They also say the legislature should not be setting maximum salary levels for these employees.

Opponents: No opposition voiced to the committee.

HB 423---Jury Costs for Criminal Cases

Sponsor: Kostron, Zych

Committee Action: Reported from Fees, Salaries
and Retirement Committee on a 10-0 vote,
with one member voting present.

Would raise the maximum reasonable compensation for feeding and lodging a sequestered jury from \$3.50 to \$25 per person per day. This cost is taxed as other costs in the case. The bill has a fiscal note.

Proponents: Supporters say the bill would allow that the costs of food and lodging be adequately covered by the state. They argue the \$3.50 figure is much too low.

Testifying for the bill was the city of St. Louis.

Opponents: No testimony in opposition to the bill, however, questions were raised that setting a high maximum rate might result in the full amount being spent whether it needs to be or not.

HB 116 -- Highway Patrol, Uniform Allowance

Sponsor: Heflin, Hoffman (89)

Committee Action: Reported from Fees, Salaries and Retirement Committee on a 12-0 vote.

Would increase the uniform allowance of patrolmen and other uniformed personnel of the State Highway Patrol from \$25 to \$40. Would also allow superintendent of the State Highway Patrol to prescribe a distinctive style of uniform and badge for "other uniformed personnel" as well as patrolmen.

Proponents: Supporters say the added allowance is needed because uniform costs have skyrocketed. The bill would also eliminate the need to go to the legislature every year for uniform money for non-patrolmen.

Testifying for the bill was the Missouri Highway Patrol.

Opponents: No opposition voiced to committee.

HB 50, HCA 1 -- Safety Measures for Public Utility
Employees

Sponsor: Blassie

Committee Action: Reported from Employment Security
and Fair Employment Practices Committee on a 5-1 vote.

Would prohibit any public employee from entering a manhole without another employee working in the immediate area of the manhole, and would prohibit employees from entering any excavation or excavated area shored without another employee being present. Also, each excavation must be shored sufficiently to prevent sinking, sagging or sliding of the sides or top of the excavation. Misdemeanor penalty provisions are included in the bill for employees who violate the act, or any employer who orders an employee to violate the act. The bill includes utility employees of municipalities and cooperatives in the definition of public utility employee.

Proponents: Supporters say the bill would save lives, and would be well worth any added expense to the employer.

Testifying for the bill were the Communication Workers of America, United Labor Committee and Communication Workers, Local 6320.

Opponents: Those who oppose the bill argue it would be extremely costly and would not reduce accidents. Southwestern Bell testified that this legislation would cost approximately \$1.5 million a year to implement.

Testifying against the bill were Southwestern Bell Telephone Company, St. Louis County Water Supply Company, Kansas City Power and Light Company and Union Electric.

HB 115 -- Employees of the Coordinating Board for Higher
Education

Sponsor: Hadley

Committee Action: Reported from the Education Committee
on a 16-3 vote.

Would eliminate the maximum limit of 25 full-time employees
which may be employed by the Coordinating Board for
Higher Education. A fiscal note is attached.

Proponents: Supporters say the bill grants the legisla-
ture more flexibility in the appropriations process
regarding the Coordinating Board's employees. A maximum
number of employees will still be set, but it will be
done on the basis of the situation existing at the time
the appropriations are made, not on an arbitrary figure
set at some time in the past.

Testifying for the bill were Rep. Della Hadley and the
Missouri Association of Independent Colleges and
Universities.

Opponents: No opposition voiced to the committee.

HB 313 -- St. Louis City School Board

Sponsor: Zych, et al

Committee Action: Reported from the Education Committee
on a 15-3 vote.

Current law provides that members of the St. Louis City Board are all to be elected at large. HB 313 increases the size of the board from 12 to 13 members and would require nine of the members to be elected from sub-districts drawn by the city's Board of Election Commissioners. The remaining four members of the board would be elected at large. Members elected from sub-districts must have been a resident of that sub-district for three years, and continue their residency during their tenure. The minimum age for a board member is also lowered from 25 to 21 years of age.

Proponents: Supporters say that the creation of sub-districts would increase participation in the board election process by reducing the cost from that of a city-wide campaign, and at the same time increase accountability to the voters.

Testifying for the bill was Rep. Thomas Zych.

Opponents: Those who oppose the bill argue that the interests of the whole school district are best served by members who do not owe their loyalties to any one area of the city.

Testifying against the bill was the Missouri School Board Association.

HB 407 -- Exemption of Educational Buildings from State
Standards

Sponsor: Lang, et al

Committee Action: Reported from the Education Committee
on a 15-0 vote.

Presnetly, buildings or facilities constructed by school districts are exempt from requirements to make buildings easily accessable to the physically handicapped. HB 407 would repeal that exemption for all buildings for which contracts are let after the effective date of this act.

Proponents: Supporters say current law requires education for physically handicapped persons, but does not require school buildings to be constructed in such a manner as to permit the handicapped children easy access to them.

Testifying for the bill were the Department of Elementary and Secondary Education and the United Cerebral Palsy Association.

Opponents: No opposition voiced to the committee.

HB 718, HCA 1 -- Early Childhood Education

Sponsor: Shear, et al

Committee Action: Reported from the Education Committee
on a 17-1 vote.

Would give the Department of Elementary and Secondary Education the responsibility to develop and review with an interagency council a state plan for early childhood education and child development programs, and to inform the public as to their availability. The department would have the power to coordinate services offered by other agencies or jurisdictions, adopt standards for voluntary accreditation of services, administer federal grants, provide professional and technical assistance, and develop policies to carry out powers which are granted by this act. A fiscal note is attached.

Proponents: Supporters say there is an urgent need to establish a state-supported central coordinating agency in the early childhood education area.

Testifying for the bill were Governor's Conference on Education, St. Louis Public School System, Department of Elementary and Secondary Education, Missouri Association of Elementary School Principals and the St. Joseph Junior League.

Opponents: No opposition voiced to the committee.

HB 717, HCA 1 -- Parent-Child Early Education

Sponsor: Shear, et al

Committee Action: Reported from Education Committee on
a 17-2 vote

The bill would permit the payment of up to \$50 per child to a school district (or special district) for each child 3 to 5 years of age in a parent-child early education periodic screening and diagnostic program, programs for handicapped, potentially handicapped and environmentally deprived children or follow-up services for children and parents, excluding on-going services provided in day care centers, and part and full day kindergarten and pre-kindergarten programs. The programs must be approved by the Department of Elementary and Secondary education under standards which shall be adopted by the state board of education. (Fiscal Note attached)

Proponents: Supporters say the bill would make possible the expansion of parent-child early education detection of defects programs.

Testifying for the bill were the Governor's Conference on Education, St. Louis Public School System, League of Women Voters, Missouri Department of Elementary and Secondary Education, Missouri Association of Elementary School Principals, the St. Joseph Junior League.

Opponents: No opposition voiced to the committee.

HCS HB 181 -- Unclaimed Bank Deposits

Sponsor: Rollins

Committee Action: Reported from Banks and Financial
Institutions Committee on a 9-0 vote.

Would provide that the director of the Division of Finance would designate which newspaperers would print public notices of unclaimed bank deposits. The bank or trust company would be required to pay the expenses of publication. In addition, the bank or trust company holding the unclaimed deposit would be required to send a notice to the depositor informing him that if the notice was not acknowledged within 180 days, the deposit would revert to the state.

Proponents: Supporters say the bill is needed because there is approximately \$1,937,000 in unclaimed bank deposits in Missouri at the present time.

Testifying for the bill were the Division of Finance, State Treasurer's office, and Department of Elementary and Secondary Education.

Opponents: No opposition voiced to the committee.

HB 171 -- Rental of Safe Deposit Boxes

Sponsor: Dill

Committee Action: Reported from Banks and Financial
Institutions Committee on a 9-0 vote.

Would provide that safety deposit boxes could be rented in the names of two or more persons (present law limits rental to two persons), provided the renters are husband and wife or parents and children.

Proponents: Supporters say the bill would relieve banks of liability with respect to joint tenancy agreements. They say banks in Kansas City, Kansas, are now advertising that they can offer depositors the opportunity which would be provided in this bill.

Testifying for the bill was the Missouri Bankers Association.

Opponents: No testimony in opposition to committee.

HB 704 -- Tort Liability of State and Local Officials

Sponsor: Stoner, Sweeney

Committee Action: Reported from Civil and Criminal Justice
Committee on a 9-0 vote.

Would make the state or local government liable for its torts except for acts or omissions arising out of the exercise of the judicial or legislative function. The governmental proprietary distinction which has been used to determine liability in some cases is eliminated. The bill carries an effective date of January 1, 1978.

Proponents: Supporters argue the divine right of kings of the common law has no place in the legal system of a modern republic. They say most states have either abolished or severely limited the doctrine of sovereign immunity.

Testifying for the bill was the Missouri Trial Lawyers Association.

Opponents: Those who oppose the bill argue there should be some limits placed on liability before immunity is lifted. They say small municipalities often cannot get liability insurance and could easily be bankrupt by a judgement.

HB 528 -- Counterfeit Motor Vehicle Titles

Sponsor: Hoffman (89th)

Committee Action: Reported from Civil and Criminal Justice
Committee on a 10-0 vote.

The bill makes it a felony to alter, steal a blank for,
or counterfeit a motor vehicle title or driver's license.

Proponents: Supporters say Missouri law on defacing,
counterfeiting or duplicating does not now cover titles
or driver's licenses. They say this omission should
be rectified.

Opponents: No opposition voiced to the committee.

HB 487 HCA 1,2,3,4 -- Vehicle Repair Estimates

Sponsor: Lowenstein

Committee Action: Reported from Consumer Protection

Committee on a 9-3 vote, with two members voting present.

The bill lists unfair and deceptive practices in repairing vehicles. It requires a written estimate for repair work involving a total cost of \$100 or more (raised from \$50 by HCA 2). No charge could be made for the estimate, unless agreed to by the customer. Charges that exceed the estimate by more than 10% require additional customer approval. A customer has the right, however, to sign a release if he wishes to. When total repairs cost \$100 or more, the repair dealer must furnish a written invoice describing the work done and the parts supplied. HCA 1 removes television repair work from coverage by the bill. HCA 4 requires a repair dealer only to offer to return replaced parts, and HCA 3 is merely corrective in nature.

Proponents: Supporters say the bill will protect vehicle owners from unauthorized repair charges, and will provide a system of documentation that will make investigation of complaints and prosecution easier.

Testifying for the bill was the Attorney General's office.

Opponents: Those who oppose the bill argue it will impose requirements on local truckers who do repairs for each other. A television repairman testified that there are relatively few problems in television repairs. His testimony and Attorney General's data on the number of repair complaints received convinced the committee to adopt HCA 1.

Testifying against the bill was the Local Cartage Association, Inc. of Greater St. Louis.

HE 566 -- Unfair Practices in Insurance

Sponsor: Sweeney, et al

Committee Action: Reported from the Consumer Protection
Committee on an 11-0 vote, with two members voting present

Would make it unfair discrimination for an accident or health insurance policy to restrict full freedom of choice in the selection of a pharmacy or pharmacist. The present statute already makes it unfair to restrict freedom of choice of a physician, surgeon, optometrist, chiropractor, dentist or podiatrist.

Proponents: Supporters say that since accident and health policies cover drugs, the protection of freedom of choice should be extended to pharmacists and pharmacies.

Testifying for the bill was a practicing pharmacist, speaking for himself.

Opponents: No opposition voiced to the committee.

HCS HB 177, 660 -- Motorcycle Helmets

Synopsis to be supplied later.

HB 323, HCA 1 -- Fee on Loans

Sponsor: Roderick, et al

Committee Action: Reported from the Consumer Protection Committee on a 13-0 vote, with one member voting present.

Would allow payment of a flat fee on a loan in lieu of the payment of interest. The committee amendment sets the limit of such a fee at \$7.50 on any loan, and limits the number of loans of this type that a borrower can have at a given time from the same lender.

Proponents: Supporters say that short-term, small loans are not economically feasible at the allowable interest rate of 10% per annum. A flat fee would cover the processing expenses for such loans.

Testifying for the bill was the Bank of Lohman and the State Division of Finance.

Opponents: No opposition voiced to the committee.

Book 2 of 2 Books

- CONTINUED -

HOUSE PERFECTION CALENDAR

79th General Assembly

1st Regular Session – 1977

HB 666 HCA 1 -- Electronic Voting Systems

Sponsor: Burke

Committee Action: Reported from Elections Committee on a
7-0 vote.

Would require that where electronic voting systems are used, voters would be responsible for removing any loose "chad" or other punched-out materials from the backs of their ballots so that the ballots can be properly tabulated by the data processing equipment. Election officials would be prohibited from examining the ballots at the voting place to remove any loose material or to see if there is any loose material on the ballots. The bill also provides that only the election authorities would have access to the tabulation equipment while ballots are being counted. In addition, the bill specifies that within five days prior to election day, the board of election commissioners or county clerk must have the voting equipment tested to make sure that the equipment will tabulate the vote correctly. The amendment would allow the pick up of ballots cast between the hours of 1:00 p.m. and 3:00 p.m. for preparation for processing after the polls close.

Proponents: Supporters believe the bill would help the election commission coordinate a smoother operation at the polls.

Testifying for the bill was the former Representative Walter Meyer.

Opponents: No testimony in opposition voiced to the committee.

HCS HB 200 & 237 -- Primary Election Ballots

Sponsor: Burke

Committee Action: Reported from the Elections Committee
on a 7-0 vote.

The bill provides that at least 40 days before an August primary an official sample ballot will be prepared in the order which the candidates filed. At all primary elections there must be an official ballot listing all candidates under their appropriate title and office. There shall be at least one blank line for each office to allow a write-in vote. Votes for candidates of more than one party would be void. In areas using voting machines, the machine shall be designed so only the elector can select the party for whose candidates he will vote, but he can vote for candidates from one party only.

Proponents: Supporters say a person should not have to publicly ask for a party ballot.

Testifying for the bill were the St. Louis director of elections, and the Teamsters Union.

Opponents: No opposition voiced to the committee.

HB 652 -- Subdivision of Land

Sponsor: Youngdahl, Mead, et al

Committee Action: Reported from Municipal Corporations
Committee on a 7-0 vote.

Would allow any city by ordinance to make it a condition precedent to the approval of a subdivision map that either land be donated for or money paid to the city for recreational facility development.

Proponents: Supporters say subdivisions are often planned and developed without consideration for providing recreational facilities for public use. This gives local communities control over land development.

Testifying for the bill were the Missouri Municipal League, Jefferson City Mayor's Office, Jefferson City Council, Columbia City Council and Columbia Parks and Recreation Association.

Opponents: Those in opposition questioned the constitutionality of the bill. This is originally a taking without just compensation.

Testifying against the bill was the Missouri Association of Realtors.

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Monday, March 14, 1977

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Please destroy the original page and replace it with
the corrected one supplied in this edition.

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HB 131, HCA 1,2,3 -- State Aid for School Districts

Sponsor: Goode

Committee Action: Reported from Education Committee
on a 24-0 vote.

would alter state aid to schools in several significant ways. Some of them are: part-time and summer students are counted in determining "average daily attendance"; membership (enrollment) is given equal weight to average daily attendance in determining the number of eligible pupils; percentages are used instead of dollar amounts; a guaranteed tax base is provided; the hold harmless clause gives those districts that will receive a decreasing entitlement time to adjust to the decrease until a minimum entitlement is reached (it starts at \$100 per eligible pupil). The bill also sets up a new formula for determining state aid for bus transportation of students.

Proponents: Supporters want to establish a formula for the distribution of state aid to schools which eliminates many of the inequities that arise from variations in wealth from school district to school district. The formula does this by (a) setting a statewide expenditure per child, (b) providing a guaranteed tax base, and (c) giving equal aid for equal tax rates, thereby equally rewarding local tax effort.

Testifying for the bill were the State Department of Elementary and Secondary Education, Education Commission of the States, Governor's Conference on Education, League of Women Voters, Missouri School Boards Association, Missouri Farm Bureau, Missouri National Education Association, Missouri Teachers Association, Missouri Congress of Parents and Teachers, Missouri Association of School Administrators, Conference of Education, Council on Education, Cooperating School Districts of St. Louis County, and School Boards of Kansas City, St. Louis and Carrollton.

Opponents: No testimony in opposition to the bill, however, questions were raised that the level of funding required by the proposed formula is too high. They say the formula doesn't succeed in eliminating inequities in financing. The high cost of financing the public schools will reduce the freedom of choice of those who are financially able to choose an alternative to public education.

Testifying against the bill were the Missouri Public Expenditure Survey and Citizen's for Educational Freedom.

HB 103 -- Political Subdivisions' Retirement Systems

Sponsor: Downing, Marriott

Committee Action: Reported from Fees, Salaries and Retirement Committee on an 8-1 vote, with one member voting present.

Would authorize the governing body of any hospital owned by a political subdivision or corporation to set up a pension plan for its employees, their widows and minor children. Presently, only political corporations or subdivisions which have an assessed valuation of \$40 million or more can set up a pension plan separate from that already provides, unless the plan concerns policemen and firemen coverage.

Proponents: Supporters say the bill would allow public hospitals to choose a retirement system which is best suited for their specific needs. Supporters say all public hospitals were surveyed and are overwhelmingly in favor of the bill.

Testifying for the bill was the Missouri Hospital Association.

Opponents: Those who oppose the bill argue local hospitals might get involved in a system they can neither support nor afford.

Testifying against the bill was the Local Government Employees Retirement Systems.

Chris Patterson, Research Analyst

(Please insert this after pg. 183)

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HB 189 -- HCA 1 -- Deputy Sheriffs' Compensation

Sponsor: Nilges

Committee Action: Reported from Fees, Salaries
and Retirement Committee on a 10-0 vote, with
one member voting present

ould provide that the salaries of deputy
sheriffs in second class counties would be fixed
by the judges of the circuit court, by agreement
with the sheriff and the approval of the county
court. The same rule would apply in third and
fourth class counties. Presently, the county court
does not have the right of approval.

Proponents: Supporters argue that since the county
courts pay the salaries of these deputies, they
should be able to approve them.
Testifying for the bill were the county courts of
Jefferson and Franklin counties.

Opponents: No testimony in opposition voiced to
committee.

Chris Patterson, Research Analyst

(Please insert this after page 183A)

pg. 183B

HB 718, HCA 1 -- Early Childhood Education

Sponsor: Shear, et al

Committee Action: Reported from the Education Committee
on a 17-1 vote.

Would give the Department of Elementary and Secondary Education the responsibility to develop and review annually with an interagency council a plan for early childhood education and child development services. The Department, together with the interagency council, shall have the additional responsibilities: to identify and promote coordination of early childhood education and child development services; to inform the public about such services; to develop recommended standards for voluntary accreditation; to apply for, receive and administer federal funds not designated other specific agencies which are or may become available pertaining to early childhood education; to provide professional and technical assistance; and develop policies to carry out powers of the act.

Fiscal note is attached.

Proponents: Supporters say there is an urgent need to establish an interagency council for the purpose of coordinating and providing early childhood services in an efficient and cohesive manner.

Testifying for the bill were the Department of Social Services, Department of Mental Health, Springfield Public Schools, Governor's Conference on Education, St. Louis Public School System, Department of Elementary and Secondary Education, Missouri Association of Elementary School Principals and the St. Joseph Junior League.

Opponents: No opposition voiced to the committee.

HB 717, HCA 1 -- Parent-Child Early Education

Sponsor: Shear, et al

Committee Action: Reported from Education Committee on
a 17-2 vote.

This bill would permit the payment of up to \$50 per child to a school district (or special district) for each child 3 to 5 years of age in a parent-child early education program. Such programs shall include early and periodic screening to detect handicaps and potential learning problems and services to assist the family in fostering the child's development and learning in the home. The programs must be approved by the Department of Elementary and Secondary Education under standards which shall be adopted by the State Board of Education.
Fiscal Note attached.

Proponents: Supporters say the bill would make possible the expansion of parent-child early education programs to treat childrens' problems at an early age when it is most effective.

Testifying for the bill were the Governor's Conference on Education, St. Louis Public School System, League of Women's Voters, Missouri Department of Elementary and Secondary Education, Missouri Association of Elementary School Principals, the St. Joseph Junior League, St. Elizabeth School District, and Ferguson-Florissant School District.

Opponents: No opposition voiced to the committee.

HCS HB 117, 660 -- Motorcycle Helmet Law

Sponsor: Bruckerhoff

Committee Action: Reported from Motor Vehicle
and Traffic Regulations Committee on a
5-3 vote

Would abolish the current requirement that every person operating or riding on any motorcycle must wear protective headgear. However, the substitute bill requires all persons under the age of 18 to wear a helmet.

Proponents: Those supporting the bill argue that helmets limit the driver's and rider's vision and hearing.

Testifying for the bill were Representative Harry Hill and a Brotherhood Against Totalitarian Enactments (A.B.A.T.E.) of Missouri.

Opponents: No testimony in opposition voiced to committee.

HJR 10 , HCA 1 -- Home Rule

Sponsor: Downing , Mead and Maddox

Committee Action: Reported from the Governmental Organization
Committee on a 6-3 vote.

ould permit any county to adopt a charter (home rule) rather than limiting it to counties of over 85,000 population. Adoption of a charter would be optional. The number of signatures on petitions required to place the question on the ballot would be lowered from 20% to 8% of the vote cast at the last gubernatorial election. There is a provision for repealing a charter, which would require a petition signed by 8% of the voters who voted in the last gubernatorial election. If a charter were repealed under this provision, there could be no resubmission for two years.

Proponents: Supporters point to the fact that home rule has passed the House of Representatives three times, but has died in the Senate. Supporters say the legislation is permissive. It would turn more authority over to the counties, and would give the General Assembly time to consider matters of state-wide importance. Presently cities have more authority to act on matters in their own interest than counties do.

Testifying for the bill were the Missouri Association of Counties, League of Women Voters, and Missouri Farm Bureau Federation.

Opponents: No opposition voiced to the committee.

HB 23 -- Authorization of Games of Chance

Sponsor: Schlef, et al

Committee Action: Reported from Local Government
and Related Matters Committee on a 12-1 vote

Would give the General Assembly the power to authorize bingo games conducted by religious, charitable, fraternal, veterans and service organizations; power to authorize pari-mutual wagering on horse racing in first class counties with a population of over 600,000 and in St. Louis, if the events are held at not-for-profit tracks. The bill would create a seven-member State Racing Commission to regulate betting. Revenues realized from legalized betting would be deposited in general revenue.

Proponents: Supporters argue the bill would help the people of Kansas City and St. Louis by creating more jobs, and would generate more tax revenue for the state.

Testifying for the bill were the Teamsters Union, Missouri Horse Council, Davis Thoroughbred Farms and a private citizen of Kansas City.

Opponents: Those who oppose the bill argue legalized gambling would stimulate organized crime activities, would hurt the state's economic climate and would provide a route for compulsive gambling and family problems associated with compulsive gambling.

Testifying against the bill were the Christian Civic Foundation, Missouri Baptist Convention, Mehlville Baptist Church, Tower Grove Baptist Church, Missouri Council of Churches and one private citizen.

HJR 28 -- State Lottery

Sponsor: Kostron, et al

Committee Action: Reported from Local Government
and Related Matters Committee on a 12-1 vote

Would permit the General Assembly to authorize a state lottery, and create a three-member commission to regulate and supervise the lottery. Proceeds would be earmarked for educational purposes. The bill also allows bingo games if proceeds from bingo are used solely for charitable purposes.

Proponents: Supporters argue the bill would create more jobs and generate more tax revenue for the state.

Testifying for the bill were the Teamsters Union, Missouri Horse Council, Davis Thoroughbred Farms and a private citizen from Kansas City.

Opponents: Those who oppose the bill argue that legalized gambling would stimulate organized crime activities, would damage the state's economic climate and would provide a route for compulsive gambling and family problems associated with compulsive gambling.

Testifying against the bill were the Christian Civic Foundation, Missouri Baptist Convention, Mehlville Baptist Church, Tower Grove Baptist Church, Missouri Council of Churches and one private citizen.

HJR 34 -- Passage of General Obligation Bonds

Sponsor: Meade, Donegan

Committee Action: Reported from the Municipal Corporations
Committee on a 5-1 vote.

ould allow any election on a constitutional amendment to
reduce the vote required to pass school district bonds from
two-thirds of those voting to 60% of those voting.

Proponents: Supporters say negative votes on school bonds
are, under the two-thirds rule, worth more than positive
votes. This violates the concept of one man, one vote.
This bill would allow the people of Missouri to decide
if they want to retain this system.

Testifying for the bill were the Missouri State Teachers
Association, Missouri School Board Association, Governor's
Conference on Education and Missouri State Parent
Teachers Association.

pponents: Those who oppose the bill say voting too many
bond issues was what led to the financial problems in
New York City. If Missouri doesn't want that to happen,
it must make sure bond issues remain difficult to pass.
Testifying against the bill was the Taxpayer's Defense
League of Kansas City.

HCS HB 496, 710 -- Campaign Financing

Sponsor: Burke

Committee Action: Reported from the Elections Committee
on a 6-0 vote.

would make numerous changes in the campaign financing law. This bill would remove campaign spending limits on candidates as well as limits on contribution that candidates may make to their own campaigns. It would require financial reports from political parties or political action committees within 5 days before they make any expenditures. This bill would permit lumping together certain expenditures under \$25 when filing campaign spending reports. It also provides that each candidate and each political committee shall keep records and accounts which include an itemized listing of all contributions. Candidates in municipalities under 5,000 are exempt from the bill's provisions, however they may be included if petition signatures are gained from 8% of the population of the political subdivision. Any person violating provisions on this bill will be guilty of a misdemeanor.

Proponents: Supporters say this bill is an effort to simplify present law and correct discrepancies.

Testifying for the bill were the Missouri Elections Commission, Representative John Buechner and Secretary of State James Kirkpatrick.

Opponents: No opposition voiced to the committee.

HCS HB 711 -- Economic Disclosure

Sponsor: Burke

Committee Action: Reported from the Elections Committee
on a 6-0 vote.

Provides that each candidate running for office file an economic disclosure or financial statement in writing with the appropriate officer. This statement would have to list, by name and address, all sources of income or gifts in the previous one year over \$500, consideration for, income of gifts and a specific listing of business or investments in excess of \$1000. This bill also requires that a candidate who places property in a blind trust must comply with the economic disclosure requirements. Any person who fails to file any report will in 10 days after notification of failure will be in violation of this bill.

Proponents: Supporters say this bill will simplify and strengthen the current law.

Opponents: No opposition voiced to the committee.

HB 802 -- Dispensing with Guardianship

Sponsor: Smith (187)

Committee Action: Reported from the Civil and Criminal
Justice Committee on a 7-3 vote.

This bill would lower the age at which a minor would gain full control over his estate from age 21 to 18. This bill deals only with estates of \$1500 or less.

Proponents: Supporters say if the State is going to allow 18 year olds to vote and sign contracts, etc. then it should allow them to have control over their own money.

Opponents: No testimony in opposition to the bill, however some committee members argued that most people aged 18 to 20 are not mature enough to adequately handle their inheritances at the age of 18.

HB 803 -- Minors in Guardianships

Sponsor: Smith (187)

Committee Action: Reported from the Civil and Criminal
Justice Committee on a 7-3 vote.

Would lower from 21 to 18 the age at which a person would
be allowed to become a legal guardian.

Proponents: Supporters say if the State is going to allow
18 year olds to vote and sign contracts, etc. then it
should allow them to have control over their own money.

Opponents: No testimony in opposition to the bill, however
some committee members argued that most people aged 18
to 20 are not mature enough to adequately handle their
inheritances at the age of 18.

HB 752 -- Condemnation Commissioners as Witnesses

Sponsor: Ottinger, et al

Committee Action: Reported from Civil and Criminal

Justice Committee on a 7-1 vote, with two persons voting present.

This bill would bar commissioners who reported on a condemnation from testifying at a hearing in the condemnation in question.

Proponents: Supporters say allowing the commissioners who made the condemnation report to testify at a hearing questioning their decision allows too much of an opportunity for them to control the proceedings.

Opponents: No opposition voiced to the committee.

HB 358, HCA 1,2,3 -- Limitation of Civil Disabilities

Sponsor: Piekarski, et al

Committee Action: Reported from the Civil and Criminal
Committee on a 7-3 vote.

This bill states that the public policy in Missouri is to give previous criminal offenders an opportunity to re-enter the productive work force. Section 3, as amended, says that a prior conviction can not be used as the sole criteria for denying a license required to engage in any type of business unless the authority denying the license can show that there is a direct relationship between the occupation the ex-offender seeks to enter and the crime for which he was convicted. An ex-offender denied a license for any reason may ask for and get a hearing to determine why a license was denied.

Proponents: Supporters say an ex-convict who has served his time should be given a real chance to rehabilitate himself. His choice of occupations should not be limited without good reason. Present law often closes potential occupations to the ex-convict for no constructive reason. People can and do change if given the chance. Testifying for the bill were the Missouri Bar Association, Missouri Division of Corrections and Missouri Division of Mental Health.

Opponents: No opposition voiced to the committee.

HB 221 -- Transportation of Vocational School Pupils

Sponsor: Copeland

Committee Action: Reported from the Education Committee
on a 17-4 vote, with one member voting present.

The bill grants state aid for voter-approved transportation of vocational school pupils.

Proponents: Supporters say that vocational education is an important part of the educational system and transportation costs connected with it should be covered.
Testifying for the bill was Representative Fred Copeland.

Opponents: No opposition voiced to the committee.

HB 247 -- Definition of School Bus

Sponsor: Osbourn, Usher, et al

Committee Action: Reported from the Education Committee on
a 17-2 vote, with one member voting present.

This bill adds to the definition of a school bus. Any motor vehicle being used to transport a sponsored group under age twenty-one for education or training would be considered a school bus.

Proponents: Supporters say that at present only licensed common carriers can transport youth groups such as Scout groups, 4-H Clubs, etc. The new definition would allow school bus contractors to use their school buses to transport youth groups other than for school and school activities.

Testifying for the bill were North County Bus Service, M-K Bus Lines, Inc., and Missouri Association of Transportation.

Opponents: Those who oppose the bill say that the bill would allow school bus contractors to do what only regulated common carriers should be allowed to do. They also view the definition as too broad. It would allow any vehicle to be considered a school bus.

Testifying against the bill were the Missouri Bus and Truck Association and Missouri Transit Lines of Moberly.

HB 166 -- Assessor's Compensation

Sponsor: Kaye, et al

Committee Action: Reported from Fees, Salaries and Retirement Committee on a 10-0 vote, with one member voting present.

Would raise the compensation of ex-officio township assessors in third and fourth class counties from \$.65 to \$1.25 for each list taken by him. Also guarantees that these assessors receive at least \$350 for entries in the tangible personal property tax book. The bill carries a fiscal note.

Proponents: Supporters say the township assessors work very hard, and it is often difficult to find persons to fill the positions because of the low pay.

Testifying for the bill were the State Tax Commission and Representative Vernon Betz.

Opponents: No opposition voiced to the committee.

HB 78 -- Mandatory Training for Sheriffs

Sponsor: Sharp (38), Bockenkamp, et al
Committee Action: Reported from the Governmental
Organization Committee on a 7-0 vote.

It would provide that newly-elected sheriffs enroll in and pass a 120-hour training program before they could take office. The training program would be formulated by the State Highway Patrol. During the time a sheriff-elect is enrolled in the training program, he would be paid as a regular county employee at a rate equal to that of sheriff. Tuition, room and board for sheriffs undergoing the training program would be paid by the state. A sheriff who failed to take the training program, or who did not satisfactorily complete the course would forfeit his office.
A fiscal note is attached.

Proponents: Supporters say that as law enforcement procedures and laws relating to law enforcement become more complicated, sheriffs need training to assist them in performing their duties. The office of sheriff is partly that of a chief law enforcement officer of the county, and partly that of administrator in the areas of employment of deputies and other employees.
Testifying for the bill were the Department of Public Safety, State Highway Patrol, Sheriff of Cole County and Missouri Sheriffs Association.

Opponents: No formal opposition voiced to committee, however there was some committee opposition to the cost of establishing such a training program.

HB 461 -- Vacancies in Offices of Elected Officials

Sponsor: DeCoster

Committee Action: Reported from the Governmental Organization
Committee on a 9-0 vote.

Would repeal provisions in the law requiring the Governor to fill vacancies in the offices of State Auditor, State Treasurer, Attorney General, and Secretary of State.

Proponents: Supporters say the bill is necessary to straighten out ambiguities between the Statutes and the Constitution. The problem came to light when the State Auditor announced his resignation in 1976, and it became evident that the constitution made one provision and the statutes another. Testifying for the bill was the Treasurer's Office.

Opponents: No opposition voiced to the committee.

HCS HB 222 -- Publication of Legal Notices

Sponsor: O'Toole

Committee Action: Reported from the Judiciary Committee
on a 7-2 vote, with two members voting present.

raises the permissible rate which newspapers may charge for legal notices from three-cents to five-cents per word, or from 75-cents to \$1.25 per inch when the per-word rate is not applicable.

Proponents: Supporters say the rates specified in the bill will allow newspapers to realize a fair profit for publishing legal notices.

Testifying for the bill was the Missouri Press Association.

Opponents: No testimony voiced in opposition to the committee.

HCS HB 76 -- Unemployment Benefits for Strikers

Sponsor: Schlef

Committee Action: Reported from the Labor Committee on
a 10-1 vote.

Repeals four sections relating to claims for unemployment benefits, and enacts four new ones relating to the same subject. The bill eliminates the waiting week for an unemployed worker to receive benefits, raises the maximum weekly benefit amount for initial claims filed after December 31, 1977 from \$85 per week to \$92 per week, and provides that no benefits can be denied any worker whose unemployment is due to a lockout resulting from a labor dispute.

Proponents: Supporters say raising the weekly benefit level to \$92 equates with the federal minimum hourly wage of \$2.30. Supporters also argue it is unfair for any worker to be denied unemployment benefits because he is forced from his job by a lockout.
Testifying for the bill was the United Labor Committee.

Opponents: Those who oppose the bill argue that an employer should not be forced to pay benefits to workers unemployed from a legal lockout. Furthermore, they oppose the elimination of the waiting week requirement.
Testifying against the bill was Associated Industries.

HB 346 -- Division of Professional Registration

Sponsor: Piekarski

Committee Action: Reported from the License and Related Matters Committee on a 4-1 vote.

Revises the current statutes with respect to licensure of various boards, councils, commissions, and offices in the Department of Consumer Affairs, Regulation and Licensing, Division of Professional Registration. The bill establishes a "Professional Registration Fund" for deposit of all receipts for that fund and for purposes of appropriations. The current balance in the existing funds and the general revenue appropriation balance would be transferred to the professional registration fund and the existing funds would be abolished. There would be a 15% annual surcharge levied on the professional registration boards to the credit of general revenue for undefined expenses. The surcharge would be 15% above the expenditures of the board. Should a fund balance grow beyond a reasonable limit, there is an "escape valve" to allow the State Treasurer to transfer funds to general revenue in increments of \$100,000. The bill authorizes the boards to set their fee schedules at levels which are necessary to support their appropriations, plus the 15% surcharge. There would, however, be a limit on fees which could be charged. The Division of Professional Registration could limit expenditures of a board whose income would not support its appropriation. The bill alters the license renewal period from one year to two years and permits the Division of Professional Registration to stagger license renewal dates during the two-year period. A single license renewal form would be authorized which would be suitable for computer use. Any rule, regulation, or fee established by the professional registration boards could be rescinded by a majority vote of the House of Representatives or the Senate within sixty days.

Proponents: Supporters say the bill would allow more efficient and effective administration by the Division of Professional Registration. By creating the Professional Registration Fund, the method of handling financial matters of the registration boards would satisfy criticism of present methods by the General Assembly.

Testifying for the bill were hearing aid dealers, the Board of Architects, Professional Engineers and Land Surveyors, Dental Board, Real Estate Commission, Veterinary Medical Board, Office of Athletics, Board of Accountancy, Board of Barber Examiners, Board of Chiropractic Examiners, Board of Cosmetology, Board of Embalmers and Funeral Directors, Board of Pharmacy, Board of Podiatry, Board of Registration for the Healing Arts.

Opponents: No opposition voiced to the committee.

HB 634 -- Licensing of Nursing Home Home Administrators

Sponsor: Goward, Brockfeld

Committee Action: Reported from the License and Related Matters Committee on a 5-1 vote.

Would bring Missouri into compliance with regulations of the Department of Health, Education and Welfare with respect to licensure of nursing home administrators. The bill would lower the age for licensure as a nursing home administrator from 21 years of age to 18; require high school graduation or its equivalent; either three years' experience in a nursing home or satisfactory completion of a course of instruction prescribed by the board. The bill also provides for reciprocity of licensure if the applicant passes an examination administered by the nursing home board which indicates that the applicant understands Missouri's laws and regulations concerning nursing homes. The board may enter in reciprocal agreements with other states which have regulations similar to Missouri's. As a requirement for renewal of licenses, the nursing home board could require continuing education courses.

If an applicant's license were not renewed within two years expiration, he or she would be considered an applicant for initial licensure. The membership of the board of nursing home administrators would be changed to include: one physician, two licensed health care professionals, one person from the field of health care education and the directors of the Department of Social Services or his designee, as well as four persons with at least five years' experience as a nursing home administrator.

Proponents: Supporters argue that in addition to the fact that this bill is necessary to bring Missouri into compliance with federal regulations the public should be provided the protection and assurance that individuals who administer nursing homes are properly trained and tested for their competence.

Testifying for the bill was the Missouri Association of Nursing Homes.

Opponents: No opposition voiced to the committee.

HB 659, HCA 1 -- Anatomical Gift Act

Sponsor: Fickle

Committee Action: Reported from the Public Health and Safety Committee on 17-0 vote, with one member voting present.

Would permit medical technicians employed by a hospital or a physician to remove the eye or part of the eye from deceased persons for the purpose of corneal transplants. Presently only physicians and licensed embalmers may perform this procedure. The bill would require medical technicians to successfully complete a course in eye enucleation conducted or certified by a department of ophthalmology in a college of medicine which offers the course.

Proponents: Supporters say the procedure is relatively simple and the passage of the bill would facilitate the removal of eyes which are needed for individuals who have suffered corneal damage.

Testifying for the bill were Ophthalmologists from the St. Louis and Kansas City areas and a representative from the Lion's Club Eye Bank in Columbia.

Opponents: No opposition voiced to the committee.

HB 791, HCA 1 -- Training for Family Practice Physicians

Sponsor: Dunning, et al

Committee Action: Reported from the Public Health and Safety Committee on a 5-3 vote.

Would establish programs in the colleges of medicine and osteopathy in the area of family or general practice. The State Board of Health would administer the program. An advisory committee to the State Board of Health, composed of representatives of recognized schools of medicine and osteopathy, would develop standards and requirements for the programs. Funds could be used to support planning programs and construction and renovation of model offices to be used in the training program. Construction or renovation could not take place unless a majority of the practicing physicians in the community were in agreement. The purpose of this section is to prevent disruption of existing health care programs in the communities where the del offices might be located.

Proponents: Supporters say although there are enough physicians being trained in the state's medical schools, not enough graduates are being attracted to rural areas. The health manpower study which was completed in 1976 indicated a severe shortage of physicians in certain areas of the state. The bill would encourage medical students to specialize in family or general practice, particularly in rural areas.

Testifying for the bill were the Missouri Medical Association, Missouri Association of Osteopathic Physicians and Surgeons; faculty from the University of Missouri College of Medicine; family and general practice physicians.

Opponents: No opposition voiced to the committee.

HB 25 -- Licensing by the Division of Health

Sponsor: Scaglia

Committee Action: Reported from the Public
Health and Safety Committee on a 7-0 vote,
1 present.

Would include the Division of Health among the agencies whose licenses may be suspended or revoked within the purview of the Administrative Hearing Commission. Individuals appealing to the Administrative Hearing Commission would not have to exhaust all other remedies before appealing to the commission.

Proponents: Supporters say the agency which has the power to deny, suspend, or revoke licenses of nursing homes, boarding homes, and boarding houses should not be the agency to which the aggrieved party must appeal.

Testifying for the bill were: The Division of Health; Missouri Nursing Home Association.

Opponents: No opposition voiced to the committee.

HB 372, HCA 1 -- Amends Hospital District Law.

Sponsor: Maddox, et al

Committee Action: Reported from the Public Health
and Safety Committee on a 7-1 vote, 1 present.

Would permit the issuance and selling of revenue
bonds for the acquisition, construction, equipment,
improvement, extension, repair and furnishing of
medical office buildings.

Proponents: Supporters say the bill would benefit
rural areas by making office facilities avail-
able for physicians and dentists. They say the
shortage of physicians and dentists in rural
areas is a serious problem.

Testifying for the bill were: Missouri Hospital
Association and the administrator of the
Cooper County Hospital.

Opponents: No opposition voiced to the committee.

HCS 398 -- Life Care Agreements

Sponsor: Raisch

Committee Action: Reported from the Social Services and
Medicaid Committee on a 6-0 vote, with one member
voting present.

Would require the registration and certification of persons, associations or corporations who engage in contracts to provide care for persons 60 years of age and older. Regulation would be by the Department of Consumer Affairs, Regulation and Licensing instead of the Department of Social Services. Life care providers, before getting certification of authority, may be required to file with the division a bond, as well as regulations for operating reserves and care agreements.

Proponents: Supporters say legislation is needed to strengthen the life care program and to help senior citizens in their transfer to life care organization.
Testifying for the bill was Representative William Raisch.

Opponents: Those who oppose the bill argue the bill needs much more study so that it would not shut down present care facilities and address itself to more of the potential problems that are associated with life care retirement facilities.
Testifying against the bill was Christian Services, Inc.

HCS HB 375 -- Fifty-five Mile per Hour Speed Limit

Sponsor: Jones

Committee Action: Reported from the Transportation
Committee on a 14-2 vote.

Would extend the current temporary 'energy crisis' speed limit until January 1, 1980. The speed limit would remain at fifty-five miles per hour. Violation of the speed limit set by this bill would not accumulate points off the driver's license until and unless such speed exceeds those maximum set by other state statutes.

Proponents: Supporters say this bill will keep Missouri in compliance with federal regulations so the State will be eligible to receive federal funds for roads. Supporters say that the reduced speed limit has made our roads safer and has saved a significant number of lives.

Testifying for the bill were the Missouri Highway Department, State Highway Patrol and Division of Public Safety.

Opponents: No opposition voiced to the committee.

HB 724 -- Truck Weights, Bridges, Routes

Sponsor: Thomas, et al

Committee Action: Reported from the Transportation
Committee on a 14-1 vote.

would provide that, when there are bridges subject to lower weight limits on a particular route, the State Highway Department must erect signs to that effect on the route. The signs would have to be erected at an intersection with another route not having bridges subject to the lower limits, so that trucks could take the alternate route.

Proponents: Supporters argue that a problem exists with the way signs are now currently posted. Supporters say that signs need to be placed ahead of the bridge at enough distance so that the truckers can detour if the weight is over maximum, or if the bridge is a low-limit bridge. Supporters say the signs need to be at the beginning of roads for safety purposes and also for convenience to the trucker delivering in unfamiliar territory. If a trucker comes to a bridge which has a lower weight limit than is being carried, he must either turn around in the road (which in most cases is impossible and dangerous) or cross the bridge and risk getting ticketed. Testifying for the bill were several truck company owners.

Opponents: Those who oppose the bill argue it would be costly to implement and would mean putting up 1,740 additional signs at an estimated cost of \$174,000, plus maintenance of the signs. Testifying against the bill was the State Highway Department.

HB 770, HCA 1 -- State Aid for Airports

Sponsor: Seay, et al

Committee Action: Reported from Transportation Committee
on a 13-2 vote.

Would provide that state aid for airports to a city, town or county could be \$25,000 per year (the current level), but a maximum level of \$75,000 would be set for aid over five consecutive fiscal years to the same city, town or county. For airports constructed and operated jointly by cities, towns and counties, the maximum would be \$50,000 in any single year, and a total of \$100,000 in any five consecutive fiscal years. The present maximum for jointly-operated airports is \$50,000.

Proponents: Supporters say the bill would allow the State Department of Transportation more flexibility in grants and aid to airports within the state. They cite a current situation in Van Buren which is in urgent need of funds to control erosion of its air strip, but the city is not eligible for state aid or assistance from the Federal Aviation Administration. Supporters say the bill would help eliminate such problems.
Testifying for the bill was the State Department of Transportation.

Opponents: No opposition voiced to the committee.

HB 202, HCA 1,2 -- Authorizes City Use Tax

Sponsor: Kenton

Committee Action: Reported from the Urban Affairs

Committee by a 6-2 vote, with one member voting present.

Would allow cities to levy a use tax along with their city sales tax, similar to the state sales and use tax. This tax could also be imposed on the privilege of storing, using, or consuming within the city any article of tangible personal property.

HCA 1 would allow any city which has already imposed a city sales tax upon voter approval prior to September 28, 1977, to impose the use tax by a majority vote of its governing body, without further submission to the voters. HCA 2 would implement a "burn-off rule" which would allow a city to tax jet aircraft fuel only to the extent that it is burned within the city limits.

The bill as amended could add to city revenues an amount equal to about 10% to 12% of a comparable sales tax.

Proponents: Supporters say that the bill would add to city revenues. They also that it would be an attempt to provide parity between the cost of doing business for a Missouri corporation and for an out of state company by requiring out of state corporations to pay a use tax on materials they use in their industries comparable to what Missouri corporations pay in sales tax. Testifying for the bill were two representatives of private industry.

Opponents: TWA testified that the airline industry would oppose the bill without HCA 2.

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Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HJR 19 -- Canvassing of Election Returns

Sponsor: Fowler

Committee Action: Reported from the Elections Committee
on a 7-0 vote.

Would amend the Constitution by providing that the Board of State Canvassers, which directs the canvass of election returns for statewide officials, meet at the state capitol at the call of the Secretary of State on or before the second Tuesday of December next after the general election. The official canvass of election returns currently is completed at the state capitol on the second Tuesday after the election.

Proponents: Supporters say the change would permit the Secretary of State to canvass votes immediately which would bring earlier certification to county offices as well as state offices. In addition, earlier certification would allow prompt transition funding.
Testifying for the bill was Secretary of State James Kirkpatrick.

Opponents: No opposition voiced to the committee.

— HCS HJR 9, 25, 33 -- Governor and Lieutenant Governor
Running as a Team

Sponsor: Burke

Committee Action: Reported from the Elections Committee
on a 4-3 vote.

— Would amend the Constitution by providing that the governor and lieutenant governor be members of the same political party. The nominees would appear on the general election ballot as a team, so that a vote for a party's nominee for governor would also be a vote for the party's nominee for lieutenant governor.

Proponents: Supporters argue that a governor and lieutenant governor of the same political party would provide a much smoother and effective operation and would prevent potential problems arising from the office holders being of different political persuasions.

— Opponents: No testimony in opposition to the bill, however some members disagreed with the concept.

HCS HB 163 -- Harris Teachers College

Sponsor: Sweeney

Committee Action: Reported from the Education Committee
on a 13-6 vote, with 2 members voting present.

The bill provides for the transfer of the property and governance of Harris Teachers College from the St. Louis Board of Education to an eleven member board of regents to be appointed by the governor. The college would be fully funded by the state at the beginning of FY 1978. Harris shall continue to be an undergraduate college specializing in training elementary teachers. A fiscal note for \$1,049,855 is attached.

Proponents: Supporters say that the St. Louis School District can no longer adequately finance Harris Teachers College. The college makes an important contribution to elementary education in St. Louis, especially among minority groups. To keep Harris in existence, a transfer to state ownership and funding is necessary.

Testifying for the bill were Harris Teachers College, Department of Higher Education, Senator Banks, Treasurer Spainhower, St. Louis Board of Education, Harris Alumni Association, Harris Student Government, Harris Faculty and Missouri Association of Private Colleges and Universities.

Opponents: No opposition voiced to the committee.

HB 811 -- Bilingual Education

Sponsor: Rojas

Committee Action: Reported from the Education Committee
on a 15-4 vote, with 2 members voting present.

The bill requires a school district having five or more children of limited English-speaking ability whose primary language is the same to set up a bilingual program for the purpose of teaching these children English language skills sufficient for successful performance in classes where all instruction is in English. A child would normally be in the program for no more than three years. A child could be transferred out of the program sooner on the basis of a standardized test. The bill sets qualifications for certification as a teacher of bilingual education. It also mandates programs in a language other than English where there are students whose first language is not English. This is to begin in fiscal year 1980. Such programs can be offered sooner if state aid is available.

Proponents: Supporters say that this bill is essentially compliance legislation. It provides equal educational opportunity for children whose primary language is not English. It would aid them in adapting to an educational system in which the language of instruction is English without, in the process, losing their pride of heritage.

Testifying for the bill was Representative Rojas.

Opponents: No opposition voiced to the committee.

HB 808 -- School Retirement System

Sponsor: Weber

Committee Action: Reported from the Education Committee
on a 2-1 vote.

The bill would allow a full-time teacher who subsequently becomes part-time to continue to contribute and receive credit in the retirement system.

Proponents: Supporters say that due to declining enrollment many school districts have cut back by putting full-time teachers on a part-time basis. Such teachers should be allowed to continue in the retirement system. Testifying for the bill was the Missouri National Education Association.

Opponents: No opposition voiced to the committee.

HB 776, HCA 1 -- Student Loan Program

Sponsor: 'Betz, et al

Committee Action: Reported from the Education Committee
on a 18-2 vote.

The bill would change one part of the definitions of approved private institution and of approved public institution, the approval determining eligibility of students attending the institution to receive Missouri Student Grant Funds. The present statute requires accreditation by the North Central Association of Colleges and Secondary Schools. The bill would allow accreditation by any agency approved by the Coordinating Board for Higher Education.

Proponents: Supporters say that two junior colleges in the state (Trenton and Moberly) meet Coordinating Board accreditation requirements but are not accredited by the North Central Association. They are thus ineligible to receive financial aid from the state.

Testifying for the bill was the Trenton Junior College.

Opponents: No opposition voiced to the committee.

HCS HB 625 -- Creating the 44th Judicial Circuit

Sponsor: Howard, et al

Committee Action: Reported from Judiciary Committee
on a 10-0 cote.

Would separate the 11th judicial circuit, which presently consists of Pike, Lincoln and St. Charles counties, into two separate circuits. The 11th circuit would consist of St. Charles county, and the 44th circuit would consist of Pike and Lincoln counties. An additional judge would be hired for the newly-created 44th circuit.

Proponents: Supporters of the bill point to the rapid growth in case load, the dissimilarity of the counties affected, and the burdensome travel required of the judges.

Testifying for the bill were the Pike County Bar Association, Lincoln County Bar Association and Judge Turpin.

Opponents: No opposition voiced to the committee.

HB 663 -- Public Defender

Sponsor: Sweeney, et al

Committee Action: Reported from the Judiciary Committee
on a 10-0 vote.

Would raise the salaries of public defenders and establish public defender districts for those counties which presently use appointed counsel to defend indigents. The bill would establish public defender districts as follows:

(a) 32nd and 33rd circuits -- district 1; (b) 34th and 35th circuits -- district 11. The salary for public defenders in circuits of 500,000 population or more would go from \$22,000 to \$27,000. The salary for other circuits would go from \$17,500 to \$23,000. The salary for two assistants in Kansas City would go from \$17,000 to \$19,000 and another four assistants from \$15,000 to \$17,000; and the first five assistants in St. Louis County would receive raises of \$2,000. In circuits of less than 500,000 population the bill would restrain assistants making more than \$10,000 from having a private civil practice, and would empower the public defender to hire one assistant at \$17,000

Proponents: Supporters of the bill point to the disparity between public defender salaries and prosecutors' salaries. The low pay of public defenders makes it difficult for the state to retain the services of attorneys once they have enough experience to go into private practice.

Testifying for the bill was the Missouri Public Defender Association.

Opponents: No opposition voiced to the committee.

HB 787 -- Procedures in Magistrate Court

Sponsor: Gann

Committee Action: Reported from the Judiciary Committee
on an 8-0 vote, with one member voting present.

Would require a request for a change of judge, a jury trial
or a change of venue to be made at least three days before
trial.

Proponents: Supporters say the bill would decrease delays
in trial and thereby improve service and the public's
impression of the court system.

Testifying for the bill was the magistrate judge of
Taney County.

Opponents: No opposition voiced to the committee.

HB 788 -- Liability of Parents

Sponsor: Russell (58), et al

Committee Action: Reported from the Judiciary Committee
on a 6-1 vote, with two members voting present.

Would increase the liability of parents for the defacing
of property by their children from \$300 to \$1,000.

Proponents: Supporters say the current liability limit
does not provide adequate compensation or deterrent.

Opponents: No opposition voiced to the committee.

HB 355 -- Relating to Certain Exemptions from Property Tax

Sponsor: Zych, Piekarski

Committee Action: Reported from the Urban Affairs Committee
on a 9-0 vote.

Would provide that no real property otherwise eligible for tax exempt status shall be placed on the tax exempt roll unless all delinquent taxes, if any, have been paid.

Proponents: In addition to providing the cities with back taxes, supporters say the bill would have an educational effect: it would force charitable organizations to be more fully aware of the back taxes on a piece of property when negotiating with a seller or donor. It would also reduce the cities' need to sue for back taxes.
Testifying for the bill was the city of St. Louis.

Opponents: No opposition voiced to the committee.

HB 871 -- Property Tax Exemptions : an Urban Redevelopment Area

Sponsor: Sweeney

Committee Action: Reported from the Urban Affairs Committee on a 5-3 vote with one member voting present.

Would exempt property not owned by an urban redevelopment corporation but lying within an area affected by an approved redevelopment plan from property taxes in the same manner and to the same extent as if owned by an urban redevelopment corporation.

Proponents: Supporters say that the bill would help with the rehabilitation of portions of a neighborhood under a redevelopment plan.

Testifying for the bill were the Compton Grand Neighborhood Association, St. Louis Archdiocesan Commission Human Rights, New Town St. Louis, Inc., Midtown Medical Center Redevelopment Corporation, the License Collector of the City of St. Louis, the Missouri Housing Alliance, and various individuals.

Opponents: No formal opposition voiced to the committee, however some members expressed reservations that the legislation as written would not achieve its purposes.

HB 734, HCA 1 -- Unfair Milk Sales Practices

Sponsor: Piekarski, Griffin

Committee Action: Reported from the Urban Affairs

Committee on a 6-2 vote, with one member voting present.

Would substantially revise the current laws dealing with milk pricing practices. With the committee amendment, however, the bill would repeal the old law without enacting new legislation. This would place the dairy industry under the general antitrust statutes.

Proponents: Supporters say the current law is outdated, the bill is an improvement, and the amendment the best method of dealing with the milk industry. Placing the milk industry under the antitrust statutes would provide the most equitable method of monitoring unfair practices. Many proponents conclude the state does not need special legislation regulating the dairy industry. They say the current law is hard to enforce and that dairies do not need the extra protection from each other. Testifying for the bill were several dairies and the University of Missouri. The State Agriculture Department also testified in favor of the bill, but with several reservations.

Opponents: Those who oppose the bill argue that this is a complicated issue which should be studied further before being acted upon. Other opponents fear that either a new milk law or outright repeal of the existing one would damage the industry.

Testifying against the bill was the Missouri Farm Bureau Federation and several dairies.

HB 550 -- St. Louis Police Pay Raise

Sponsor: Blassie

Committee Action: Reported from the Municipal Corporations Committee on a 4-2 vote, with one member voting present.

Would authorize a pay raise and vacation benefit increase for members of the St. Louis City police department. The bill adds five days off with pay per year for policemen with 20 or more years of service; changes from 48 to 104 the number of days per year off with pay; and raises the salaries of police department personnel. The pay scale for police chief would go from \$33,488 to \$35,932, and for assistant chief from \$15,350 to \$27,508. Pay hikes for other ranks with degrees of experience are also specified. Turnkey's salaries are also included in the bill at the following rates: (a) one year - \$10,608; (b) five years -- \$11,128; (c) nine years -- \$11,700. In addition, overtime compensation is made mandatory with either pay at time-and-a-half or time off at 150%. Life insurance and salary guarantee benefits are made mandatory rather than discretionary. Shift premiums must be paid to anyone starting work on or after 3:00 p.m. and before 7:00 a.m., and double time for emergency duty is required.

Note: This bill is comparable to SB 255, which proposes to raise salaries but at lower levels. In addition, SB 255 differs from HB 550 in the following ways: 1) raises the number of patrolmen by 33; 2) raises the number of permissible turnkeys from 65 to 150; 3) grants more vacation time; 4) increases the number of lieutenants by five and the number of sergeants by 30; 5) decreases the number of corporals by 200; 6) does not make salary guarantee insurance mandatory; 7) does not substantially change the hours or rate of shift premium pay; 8) overtime is taken by compensatory time at 100% or pay at straight time, however officers with the rank of lieutenant or above would be paid at the rate of 8% above their regular salary.

Proponents: Supporters of HB 550 argue St. Louis policemen are grossly underpaid, and bill would remedy the situation.

Testifying for the bill were the St. Louis Police Officer's Association, St. Louis Police Officer's Wives Association and the St. Louis Firefighter's Association.

Opponents: Those who oppose HB 550 say the city cannot afford to pay the cost of the increases proposed in this bill. They argue that SB 255 is a more reasonable proposal.

Testifying against the bill were the St. Louis Board of Police Commissioners, the St. Louis mayor's office and the Taxpayer's Defense League of Kansas City.

HB 847, HCA 1,2,3 -- Discontinuance of Electric and Gas
Services

Sponsors: Sharp (38), Riley, and Matt

Committee Action: Reported from the Consumer Protection
Committee on a 9-0 vote.

The bill would set up procedures to be followed when a gas or electrical corporation regulated by the Public Service Commission (PSC) intends to discontinue service to a residential customer for nonpayment of charges. The following are some of the main provisions: Notice of intent to disconnect must be given five days in advance. Disconnection can be made only on a day when reconnection could be made both on that day and on the next. No one's service can be disconnected because of arrearage of former residents. Between November 1 and April 15 there are stricter limitations: An account must be at least thirty days in arrears; an occupant must be given notice if his landlord is responsible for payment; and the county office of the Division of Family Services must be notified (unless this is waived by the customer) and must determine eligibility to apply for assistance (HCA 2). Discontinuance can be postponed because of a medical emergency. At least one day before discontinuance, the corporation must make reasonable efforts to contact the customer, and on the day service is actually discontinued notice shall be left together with information on how to arrange for restoration of service. The service man making the disconnection can take payment of the arrearage (HCA 1). The PSC may formulate and enforce stricter rules than the act specifies (HCA 3). A fiscal note of \$2,000,000, which will be cut to \$500,000 by HCA 2, is attached.

Proponents: Supporters say that there should be uniform regulations governing discontinuance of gas and electric services. Those regulations should protect consumers, especially during the colder months of the year, and they should ensure that people eligible for assistance in paying utility bills are identified. The PSC has attempted to do all this and more in its general order no. 63, which the utilities have tied up by challenging the PSC's authority to make such regulations. The bill would settle that question for the topic it covers.

Testifying for the bill were The Public Counsel, Division of Family Services, Public Service Commission, Spry Senior Citizens of Kansas City, Black Panthers of Kansas City, Washington Wheatley Coop of Kansas City, and Representative Wheat's staff member.

Opponents: Those who oppose the bill say that it is discriminatory because it does not include municipals and cooperatives. Furthermore, it specifies rules which should not be put into law but left to regulation by the PSC.

Testifying against the bill were the Kansas City Power and Light Co. and Laclede Gas Co.

HB 801, HCA 1,2 -- Health and Accident Insurance Coverage

Sponsor: Mueller (93)

Committee Action: Reported from the Insurance Committee
on a 9-0 vote.

Would provide that if a dependent, non-self-sustaining person covered by a health and accident insurance policy should marry, the spouse could assume ownership of the dependent person's insurance policy. If the spouse and the dependent person's parents die or become incapacitated, the person's guardian would be authorized to assume ownership of the policy. The bill would apply only to policies delivered or issued more than 120 days after the effective date of the act.

Proponents: Supporters say the bill would permit continuity of insurance coverage for individuals who cannot take out their own policies.

Testifying for the bill was the Division of Insurance.

Opponents: No opposition voiced to the committee.

HB 406, HCA 1 --- Highway System-Lake Roads

Sponsor: Butts

Committee Action: Reported from the Transportation
Committee on a 11-1 vote.

This bill would provide for including in the state highway system all roads now maintained by any civil subdivision which connect a state highway with a lake with at least one hundred and fifty (150) miles of shoreline and which serve one or more resorts or commercial establishments having annual gross revenues of at least \$500,000. After the effective date of this act the road would be maintained at state expense.

Proponents: Supporters say that in most cases these roads are in very rough and hazardous condition, and that local governments simply cannot afford to pay for the upkeep and maintainance. Supporters say that the roads are travelled by millions of tourists annually and are principle routes for school buses. Supporters say the roads need to be widened and kept in better shape for safety reasons. Supporters contend that the best solution is for the State Highway Department to take control of these roads.

Testifying for the bill were Representative Marriott, Representative Page, Senator Russell, Missouri Division of Tourism, Morgan County and Camden County School Superintendents and the Presiding Judges of both the Morgan County and Camden County Court.

Opponents: Those who oppose the bill say that the State Highway Department cannot afford intake on these roads and that they should be left to local governments for maintainance and control.

Testifying against the bill was the Missouri State Highway Department.

HB 671, HCA 1 --- Highway Patrol-Number of Officers

Sponsor: Bockenkamp, Usher and Wallis

Committee Action: Reported from the Transportation Committee
on a 12-0 vote.

This bill would increase the number of officers that could be appointed by the superintendent of the Highway Patrol. The number of lieutenant colonels would remain at one, the number of majors would be increased from three to five, the number of captains would be increased from 16 to 20, and the number of lieutenants would be increased from 35 to 46. However, the total force of the Patrol would remain unchanged at 800 officers and patrolmen.

Proponents: Supporters say that the bill is necessary and would help the Superintendent of the Missouri State Highway Patrol better implement the programs of the State Highway Patrol. Supporters say that presently officers of a lower rank are doing the work of a higher rank but cannot be promoted due to limitations in the statutes.

Testifying for the bill was the Missouri State Highway Patrol.

Opponents: No opposition voiced to the committee.

HB 856 -- Licensure of Ambulance Operators

Sponsor: Stoner

Committee Action: Reported from the Public Health and Safety Committee on a 8-0 vote, with 1 member voting present.

Would repeal a provision in the law relating to emergency medical services which permits ambulance operators operating in certain areas to show they can serve the additional needs of the area within 60 days if another applicant's bid for licensure is denied. Persons already operating ambulance services in an area can effectively prevent another applicant from being licensed.

Proponents: Supporters say the present law permits ambulance operators, who may not be providing good service to their area, to have a second chance to improve their service. The problem is that giving them additional opportunities to improve service may not result in improvements. Once an existing operator does not give satisfactory service, a new applicant who can offer better service should not be forced to wait for the existing operator to improve his service before being granted a license.

Testifying for the bill was Representative William Stoner.

Opponents: No opposition voiced to the committee.

HB 297 -- Eradication and Control of Johnson Grass

Sponsor: Russell (6th)

Committee Action: Reported from Agriculture Committee
on a 26-0 vote.

This bill would amend the present eradication and control of Johnson Grass law to provide that persons who are undertaking a Johnson Grass control program could bring an injunctive action against persons permitting a Johnson Grass nuisance to continue. The bill would also provide that elections for classifying an area as a Johnson Grass extermination area could not be presented to voters more often than once every two years.

Proponents: Supporters say that a minor correction was needed to amend the present law to make it accomplish its original intent. Also the election restriction was placed on the bill to protect counties from repeated costs of elections.

Testifying for the bill was the Missouri Department of Agriculture.

Opponents: No opposition voiced to the committee.

HB 470 -- Marriage Dissolution Notice

Sponsor: Smith (157)

Committee Action: Reported from Civil and Criminal
Justice Committee on an 11-0 vote.

Bill does away with the current 10-day notice requirement after an uncontested marriage dissolution proceeding has been taken to judgement. This does not affect normal notice requirements prior to adjudication.

Proponents: Supporters say the current notice requirement is unnecessary and not uniformly applied. They say no other civil suit has this type of notice requirement.

Opponents: No opposition voiced to committee.

HB 224 -- Land Transfer, Wright County

Sponsor: Kelly

Committee Action: Reported from State Institutions
& Property Committee on a 7-0 vote.

Would authorize the Governor to convey to the city of Mountain Grove certain land formerly occupied by the State Poultry Experiment Station.

Proponents: Supporters say this property was owned by the community and was donated by the community to the state for a specific purpose. It is no longer being used by the state, and the community wants it back.

Opponents: No opposition voiced to committee.

HB 394 -- Court Records

Sponsor: Thomas, Roderick, Griffin, Christian, Robb
Committee Action: Reported from Civil and Criminal
Justice Committee on an 11-0 vote.

Relieves probate judges from the duty of keeping tax records already kept by other methods.

Proponents: Supporters say the current statute is archaic and no longer needed, because records are kept by zerox reproduction.

Testifying for the bill was the Missouri Association of Probate Judges.

Opponents: No opposition voiced to the committee.

HB 161 -- Law Library Fees

Sponsor: Sweeney, Doll

Committee Action: Reported from Judiciary Committee
on a 9-0 vote.

Would increase law library fees for first class counties from \$3 to \$5 in addition to all other deposits required by the court.

Proponents: Supporters say law libraries which serve an entire population have not been able to keep resources current because of insufficient funding.
Testifying for the bill was Judge Robert Hestor, St. Louis County.

Opponents: No opposition voiced to committee.

HB 377 -- Removal of Certain Dead Bodies

Sponsor: Holt

Committee Action: Reported from Public Health and Safety
Committee on a 12-0 vote.

Would remove the necessity for permits to remove dead bodies from registration districts (usually from one county to another). There would be no change in the requirement for a permit for internment of the body.

Proponents: Supporters say the present requirements cause undue hardship to bereaved families and to funeral directors who are required by law to wait until the permits are issued.

Testifying for the bill was the Funeral Directors' Association.

Opponents: No opposition voiced to the committee.

— HB 97 -- Fees Paid Circuit Clerks in Civil Action

Sponsor: Youngdahl

Committee Action: Reported from Civil and Criminal Justice
Committee on an 8-0 vote

- Would raise from \$5 to \$10 the amount permitted to be collected from lawyers in second-class counties as circuit clerk fees in civil actions.

Proponents: Supporters say the increase is needed because the costs of processing court paperwork have increased.
Testifying for the bill was the City Attorney for Kansas City.

Opponents: No opposition voiced to the committee.

HB 651 -- Taxation by Special Business Districts

Sponsor: Page, et al

Committee Action: Reported from Municipal Corporations
Committee on a 7-0 vote.

Would broaden the power of local governments to impose licensing fees on businesses. Would also remove the 50% of any existing license tax limitation for the levying of taxes in a special business district.

Proponents: Supporters say the bill would allow local merchants to tax themselves to beautify downtown business districts.

Opponents: No opposition voiced to the committee.

HB 562 -- Exemption from Liability for Pharmacists by
Professional Standards Boards

Sponsor: Villa, Sweeney

Committee Action: Reported from Civil and Criminal Justice
Committee on a 9-1 vote.

Currently, most professionals are exempt from liability in malpractice in review board actions taken by them against others in their profession. This bill would include the pharmacy profession in this statutory exemption.

Proponents: Supporters argue pharmacists should be entitled to the same protections as other professionals.

Opponents: No testimony in opposition, however an objection was raised that professionals should be held responsible for any action they take.

HB 445 -- Relating to Seats for Women

Sponsor: Miller (121)

Committee Action: Reported from the Workmen's Compensation Committee by an 8-0 vote and requested to be placed on the Consent Calendar.

This bill would repeal the section of the Missouri Statutes which requires seats to be provided for women who work in the state, when it is not necessary for such employees to be on their feet.

Proponents: Supporters of the bill say that this section of the statutes is outdated and unnecessary and should be repealed.

Testifying for the bill was Associated Industries.

Opponents: No opposition voiced to the committee.

HB 471 -- Bond Requirements for Injunctive Release

Sponsor: Smith (157)

Committee Action: Reported from Civil and Criminal
Justice Committee on a 10-0 vote.

Would allow a plaintiff seeking injunctive relief to
deposit cash with the court in lieu of a surety bond.

Proponents: Supporters say that, as a practical matter,
cash is as good as a surety bond.

Opponents: No opposition voiced to committee.

HB 513 -- Relating to Notary Public

Sponsor: Maloney

Committee Action: Reported from License and Related
Matters Committee on a 6-0 vote.

Provides that notary publics be commissioned on a state-wide basis rather than by counties. They may now only notarize documents in their own or adjacent counties.

Proponents: Supporters say persons who live in outlying counties and work in the urban areas frequently cannot be notaries in their places of business if their county of residence is not adjacent to the one in which they work.

Opponents: No opposition voiced to the committee.

HB 702 -- Local Government Employees Retirement

Sponsor: Marriott

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 12-0 vote.

Would allow local governments to adopt a plan permitting employees of political subdivisions to retire early and receive temporary retirement benefits until they are eligible for Social Security. The bill would create two new benefit programs providing for early retirement, and would eliminate one benefit program (L-2).

Proponents: Supporters say the bill would lend flexibility to the types of retirement programs a political subdivision may offer. It would allow political subdivisions to make their systems more desirable as an incentive for employment.

Testifying for the bill were Representative Clarence Heflin, Local Government Employees Retirement System and the International Association of Firefighters.

Opponents: No opposition voiced to the committee.

HB 402 -- Tax Rates for Street Light Districts

Sponsor: Meier

Committee action: Reported from Local Government and
Related Matters Committee on an 11-0 vote.

Would increase the maximum tax rate that could be levied
by street light districts to 20-cents on each \$100
assessed valuation instead of the current rate of
10-cents.

Proponents: Supporters note there are only three street
light districts in the state. These districts are
usually unincorporated areas and have to buy
electric lighting from Union Electric. Supporters
say if the bill is not passed, Union Electric
will turn off their lights.
Testifying for the bill was Rep. Phillip Meier

Opponents: No testimony in opposition voiced to
committee.

HB 100 -- Regulations for Elections

Sponsor: Wallis

Committee Action: Reported from the Elections Committee
on a 7-0 vote.

The bill changes the current law regulating elections by removing the provision that prohibits persons from using any vehicle to transport voters to the polls on primary or general election day.

Proponents: Supporters say that even though there have been no prosecutions for violating the current law, it nevertheless is a nagging and unnecessary regulation.
Testifying for the bill was Representative O.L. Wallis.

Opponents: No opposition voiced to the committee.

HB 381 -- Military Pay Benefit Compensation

Sponsor: Proffer

Committee Action: Reported from the Employment Security
and Fair Employment Practices Committee on a 6-0 vote.

Would repeal section 288.060 and enact a new section relating to unemployment benefits for members of the military reserve. The changes in this section would provide that compensation received by members of the Missouri National Guard for week-end duty would not be considered wages in determining unemployment benefits. However, compensation received by guardsmen for summer camp would be considered wages in determining unemployment compensation. The bill carries an emergency clause.

Proponents: Supporters say the bill would serve as an incentive for members to stay in the National Guard. They say that it costs \$4,000 to train a member of the National Guard, and that this bill would save money by retaining current members and encouraging others to join the Guard. Testifying for the bill were the Missouri National Guard and the Adjutant General's office.

Opponents: No testimony in opposition voiced to the committee.

1 HB 465 -- Northeast State University Land Lease

Sponsor: Hill

Committee Action: Reported from State Institutions
and Property Committee on a 7-0 vote.

Would authorize the Governor to lease about .02 acres
of land at Northeast Missouri State University in
Kirksville to the Missouri Power and Light Company as
a site for an electrical transformer substation.

Proponents: Supporters say the University buildings
need more power for light, and the computer system
needs a reliable and stronger source of power.
Testifying for the bill was Northeast Missouri State
University.

Opponents: No opposition voiced to committee.

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Monday, March 28, 1977

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* This addition contains amended or corrected material.
Please take note of correction and destroy the original
page.

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HB 808 -- School Retirement System

Sponsor: Weber

Committee Action: Reported from the Education Committee
on a 21-1 vote.

The bill would allow a full-time teacher who subsequently becomes part-time to continue to contribute and receive credit in the retirement system.

Proponents: Supporters say that due to declining enrollment many school districts have cut back by putting full-time teachers on a part-time basis. Such teachers should be allowed to continue in the retirement system.
Testifying for the bill was the Missouri National Education Association.

Opponents: No opposition voiced to the committee.

HB 1 -- Appropriation for Public Debt

Sponsor: Goode

Committee Action: Reported from Appropriations Committee
on a 27-0 vote.

Appropriates money from the State Seminary Moneys Fund, for the use of the University of Missouri; from the Seminary Fund, for the use of the Curators of the University of Missouri; for the investment in registered bonds; from the State Public School Fund to the State Board of Education, for investment in registered bonds; from the Second State Building Bond Interest and Sinking Fund, for the use of the State Board of Fund Commissioners for the payment of interest and Sinking Fund requirements of the Second State Building Bonds; to the Board of Fund Commissioners for the cost of processing State Building Bonds and Water Pollution Control Bonds; as provided by law; to include payments from the Water Pollution Control Bond and Interest and Sinking Fund, and to transfer money from the General Revenue Fund to the Second State Building Bond Interest and Sinking Fund, from the General Revenue Fund to the Water Pollution Control Bond and Interest Fund, and from the General Revenue Fund to the State Road Fund for the period beginning July, 1977 and ending June 30, 1978.

HCS HB 2 -- Appropriations for Elementary and Secondary
Education

Sponsor: Goode

Committee Action: Reported from Appropriations Committee
on a 26-1 vote.

To appropriate money for the payment of salaries, wages, and per diem of members, officers and employees, equipment purchase and repair, and operation and general expenses; and for other purposes of the State Board of Education, including programs of Career and Adult Education, Vocational Rehabilitation, General Administration and Instruction, School for the Deaf, School for the Blind, Training Schools for the Severely Handicapped, and the several divisions thereof; and to transfer money from the General Revenue Fund to the State School Moneys Fund, for the period beginning July 1, 1977 and ending June 30, 1978.

HCS HB 3 -- Appropriations for Department of Revenue

Sponsor: Goode

Committee Action: Reported from Appropriations Committee
on a 27-0 vote.

To appropriate money for the payment of wages, salaries, and per diem of the officers and employees; for the operating and general expenses of the Department of Revenue and the several divisions thereof; for the payment of the State's part in assessing and collecting the revenue; and for refunding of taxes; for the period beginning July 1, 1977 and ending June 30, 1978.

HCS HB 4 -- Appropriations for Chief Executive, Judicial,
and Other Elective Officials

Sponsor: Goode

Committee Action: Reported from Appropriations Committee
on a 18-0 vote.

To appropriate money to pay salaries, wages, and per diem and other expenses of the civil officers and employees of the state, and for certain payments and grants as follows: Chief Executive's Office and Mansion, Lieutenant Governor, State Auditor, Secretary of State, State Treasurer, Attorney General, the Judiciary, Office of Administration, Department of Agriculture, Department of Conservation, Department of Consumer Affairs, Regulation and Licensing, Department of Highways, Department of Labor and Industrial Relations, Department of Natural Resources, Department of Public Safety, Department of Transportation, and other state agencies, and to transfer money among certain funds, for the period beginning July 1, 1977 and ending June 30, 1978.

HB 821 -- Demolition of Buildings in Certain Cities

Sponsor: Jordan, et al

Committee Action: Reported from the Municipal Corporations
Committee on a 4-1 vote.

Establishes regulations to be followed by contractors in the demolition of buildings in cities of 30,000 or more. Would require all persons engaged in demolition of any buildings to (1) enclose the demolition area; (2) saturate the building to be demolished with water; (3) remove debris caused by demolition falling within a 1,000 feet radius of the demolition site; and (4) remove immediately any debris falling into the street.

Proponents: Supporters say demolitions are often done in large cities without proper precautions taken to insure safety of passers by or to insure against unnecessary creation of litter and dust.

Opponents: Those who oppose the bill say that the requirement of "diligent effort" to comply with standards in the bill is too vague. One committee member raised doubt that present demolitions were being carried out in a manner that created the problems advanced by the proponents.

HCS HB 646 Dam Safety

Sponsor: Bockenkamp

Committee Action: Reported from State Parks, Recreation and Natural Resources Committee on a 9-6 vote, with one person voting present.

This bill would create a "Reservoir Safety Council" and set up a position of Chief Engineer to set standards for the safety of dams and reservoirs. The bill would apply to all dams 35 feet or more in height, or which impound 15 or more acres of water, or which are across any water-course draining 300 acres or more. The bill would require that persons obtain a permit from the Chief Engineer before building, altering, repairing or removing a dam of this sort. The Reservoir Safety Council, whose domicile would be Department of Natural Resources, would adopt guidelines for the issuance of these permits, and hear appeals made by persons whose permits were revoked or denied. Those building dams for agricultural purposes only would have to register the dam, and state that it would be used only for agricultural purposes.

Proponents: Supporters say Missouri is one of five states without this type of legislation. Dams regulated would be of such size that an accident could cause major property damage and possibly loss of life. Presently, nothing can be done if dams in this category are unsafe.

Testifying for the bill were the Department of Natural Resources, Division of Geology and Land Survey, Clean Water Commission, Association of Engineers, Conservation Federation, and Mining Industry Council.

Opponents: Those who oppose the bill say proponents are exaggerating the dam danger. They say contractors do a good job of assuring dam safety. They say the bill would be a hardship on contractors because they would have to hire an engineer to observe all construction.

Testifying against the bill was the Land Improvement Contractors Association.

HB 541 -- Education of Deaf Students in Public Schools

Sponsor: Mathewson

Committee Action: Reported from the Education Committee
on a 19-1 vote, with one person voting present.

The bill would require school districts outside a special school district to provide an education for deaf students through the eighth grade if the parents of at least three deaf children request it. It allows contractual arrangements to be made to meet the requirements of the bill, provided that no child will be transported more than fifty miles one way. A fiscal note for \$174,000 is attached.

Proponents: Supporters say that at present most deaf children must be sent to Fulton School for the Deaf. This takes them away from their homes. Education for the deaf should be available in or close to a student's home district.

Testifying for the bill were the Association of the Parents of the Deaf, Childrens Therapy Center, and several parents of deaf children.

Opponents: No opposition voiced to the committee.

HCS HB 16 -- Emergency and Supplemental Appropriations

Sponsor: Goode

Committee Action: Reported from Appropriations Committee
on a 18-3 vote, with one member voting present.

Appropriates money for emergency and supplemental purposes for 17 departments and officers of state government, and for the payment of various claims for refunds for persons, firms, and corporations, and for other purposes, from the funds designated for the fiscal period ending June 30, 1977, and for prior years, includes:
Department of Elementary and Secondary Education,
Department of Revenue,
Elective Officials,
Judiciary,
Office of Administration,
Department of Agriculture,
Department of Consumer Affairs, Regulations and Licensing,
Department of Highways,
Department of Labor and Industrial Relations,
Department of Natural Resources,
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Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HCS HB 6 -- Appropriations for Department of Social Services

Sponsor: Goode

Committee Action: Reported from Appropriations Committee
on a 24-0 vote, with one member voting present.

Appropriates money for the payment of salaries, wages and per diem of the officers and employees; for the purchase and repair of property; for certain payments and grants, and for the operating and general expenses of the Department of Social Services, for the period beginning July 1, 1977 and ending June 30, 1978.

HCS HB7 -- Appropriation for Higher Education

Sponsor: Goode

Committee Action: Reported from the Appropriations
Committee on a 20-5 vote.

Appropriates money for the payment of salaries, wages and per diem; for the purchase and repair of property; and for the operating expenses, other expenses and grants of the Department of Higher Education, University of Missouri, Southwest Missouri State University, Central Missouri State University, Southeast Missouri State University, Northeast Missouri State University, Northwest Missouri State University, Missouri Southern College, Missouri Western College, Lincoln University, and other state agencies, and for other purposes for the period beginning July 1, 1977 and ending June 30, 1978.

HCS HB 8 -- Appropriations for the General Assembly

Sponsor: Goode

Committee Action: Reported from Appropriations Committee
on a 22-1 vote.

Appropriates money for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for the salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission of Interstate Cooperation, the Committee on Legislative Research, the Committee on State Fiscal Affairs, and for the Committee on Administrative Rules; and for the expenses of the interim committees established by the General Assembly, for the period beginning July 1, 1977 and ending June 30, 1978.

HB 462 -- Recovery of Monies for Public Assistance

Sponsor: Griffin, Roderick

Committee Action: Reported from the Revenue and Economics
Committee on a 9-0 vote, with one member voting present.

Provides that when a recipient of public assistance dies, the amount paid to him in benefits or on his behalf would become a debt due the state from his estate. This debt would be collected under the probate code, except if the collection would adversely affect the needs of the surviving spouse or dependents. In regard to the Division of Family Services, it is estimated about 300 debts at an average of \$800 (incurred in a year) could be collected with 55% of the money to return to the federal government. As to the Department of Mental Health, inpatient cases would be the only ones feasible to collect.

<u>Estimated Recovery:</u>	<u>FY 77-78</u>	<u>FY 78-79</u>
Division of Family Service \$ (federal funds)	33,000	\$ 132,000
Division of Family Service (general revenue)	27,000	108,000
Department of Mental Health	9,676,005	13,675,420

Proponents: Those who support the bill argue it would recoup some of the state's money.

Testifying for the bill was Representative Griffin and Judge Rollie Baldwin of Clay County.

Opponents: No opposition voiced to the committee.

HB 849, HCA 1 -- Solar Energy Systems

Sponsor: Marriott

Committee Action Reported from the Revenue and Economics Committee on a 8-4 vote, with 2 members voting present.

This bill provides incentives for the installation or acquisition of solar energy systems by providing income tax credits and amortization on the costs of such systems.

Proponents: Supporters say this bill addresses itself to the energy problems of the future. This may also increase employment and create new jobs.

Testifying for the bill were L.D. Herman of the Sheet Metal Workers Local #36, Robert L. Baker, a Sheet Metal Contractor and James D. Foster, Sheet Metal Workers Local #2.

Opponents: No opposition voiced to the committee.

HB 621, HCA 1 Products Liability

Sponsor: Heflin, Marriott

Committee Action: Reported from the Judiciary Committee
on a 5-1 vote, with one member voting present.

This bill would amend 516.120, RSMo 1969 to include products liability claims with actions which must be brought within five years. For these claims, the action accrues at the time the injury, damage, or defective condition was discovered or should have reasonably been discovered. All products liability claims would be barred five years from the date of delivery to the original purchaser or the date of the last act of the defendant which gave rise to the cause of action, whichever is later.

Proponents: Supporters say this legislation could curb the spiraling insurance costs that are resulting from large products liability settlements and judgments. Testifying for the bill were Bill Merkle, manufacturer, the National Association of Independent Insurers and the Missouri Insurance Association.

Opponents: Those who oppose the bill say it will not lower insurance rates; that this will do nothing to protect consumers or to make products safer. Testifying against the bill were Leroy Crouther, St. Louis Attorney and Tom Hulverson, President elect of the Missouri Association of Trial Lawyers.

HB 841, HCA 1 -- State Department Heads - Compensation
With Amendment

Sponsor: Rothman

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 12-0 vote, with one member voting present.

This bill would raise the salaries of the commissioner of administration and the director of each department of state government to \$40,000, unless those directors appointed by the heads of departments authorized to set salaries of directors. Present salaries range from \$16,000 to \$30,000 a year.

Proponents: Supporters say the bill is exactly in line with recommendations made by the Citizens Salary Study Commission. Missouri needs the pay hike to be able to compete for qualified executive-level employees. Testifying for the bill were Brendan Ryan, Governor's Office and the Missouri State Highway Department.

Opponents: No opposition voiced to the committee.

HB 699 Conservation Commission - Regulated Areas

Sponsor: Bockenkamp

Committee Action: Reported from the State Parks, Recreation and Natural Resources Committee on a 10-4 vote, with one member voting present.

This bill would provide that, unless otherwise specifically posted, the speed limit within any area under the jurisdiction of the conservation commission shall be 20 mph. No person would be allowed to park in areas other than those specifically designated by the commission as parking areas. No person would be able to use these areas in a manner inconsistent with commission rules and regulations. The bill provides that violation of these provisions is a misdemeanor. It gives arrest power to authorized agents of the commission over those violating these provisions.

Proponents: Supporters say authorized conservation agents need the arrest power to adequately police their lands. Further, they say the bill would apply only to conservation land, so the agents would not have arrest power elsewhere.

Testifying for the bill was the Conservation Department.

Opponents: No testimony in opposition to the bill, but some members felt it would be a duplication of powers of the Conservation Commission.

HB 536 -- Cities - Park Systems

Sponsor: Dirck

Committee Action: Reported from the State Parks, Recreation and Natural Resources Committee on a 13-2 vote.

This bill would combine and clarify various laws dealing with a city establishing a park and public recreation system. The bill would provide for cities to establish and operate public parks systems and facilities. It would authorize the governing body to levy a 20¢ tax on each \$100 assessed valuation without a public vote, or 40¢ without a public vote. It would allow for the appointment of parks boards or commissions to administer the system. The bill would also eliminate a statute allowing cities to levy a "band tax", and would allow school districts to appropriate any amount of funds to establish and maintain public parks and playgrounds for the use of the public school district, rather than a specific amount ranging from \$250 to \$2,500, depending upon the size of the city.

Proponents: Supporters say the bill would consolidate fragmented and contradictory statutes.

Testifying for the bill were the Missouri Municipal League; and Arlan Eppersong Recreation Extension Specialist.

Opponents: No opposition voiced to the committee.

HB 557, HCA 1 -- Multiflora Rose - Root Bounty

Sponsor: Westfall

Committee Action: Reported from the State Parks, Recreation
and Natural Resources Committee on a 9-8 vote.

This bill would place a bounty of \$1 for each root system
of a multiflora rose delivered to a conservation commission
redemption center. The act would expire January 1, 1981.

Proponents: Supporters say the multiflora rose spreads
rapidly and is a big problem for farmers and landowners.
The Conservation Commission, with its new tax
revenues, could afford to help eradicate it.

Opponents: No opposition voiced to the committee.

HB 823 -- Repeal of the Blue Law

Sponsor: Allen

Committee Action: Reported from the Governmental
Organization Committee on a 8-0 vote.

Would exempt counties contiguous to Jackson, Clay and Platte Counties from the blue law if HB 21 becomes law. Counties would be permitted to vote to repeal the blue law. Petitions signed by 8 percent of the voters in the last gubernatorial election would be required to submit the question to the voters.

Proponents: Supporters cite surveys which have shown that a majority of people in the greater Kansas City area favor repeal of the blue law since business is being lost to Kansas on Sundays. Passage would permit counties most affected to attract business on Sundays and would add revenues in the form of sales tax and taxes on wages of employees who would work on Sundays. With the threat of losing Richards-Gebaur Air Force Base, the Kansas City area needs help in keeping the economy strong.

Testifying for the bill was the Missouri Retail Grocers Association.

Opponents: Those who oppose the bill say a local option repeal will cause economic hardship on those counties which are not allowed the opportunity to repeal the blue law.

Testifying against the bill was the Missouri Baptist Convention.

HCS HB 692 -- Driver's License - Identification Cards

Sponsor: Lang

Committee Action: Reported from the Transportation
Committee on a 13-1 vote.

This bill would give the Department of Revenus the authority upon request to issue identification cards. These identification cards would be allowed only to be used for identification purposes and would not be valid as a chauffeur's license or motor vehicle operator's license. Cost of the identification card would be \$1.

Proponents: Supporters say this bill would give people who do not have driver's or chauffeur's license a usable form of identification for check writing, proof of age, etc.

Testifying for the bill was Representative Walter Mueller.

Opponents: No opposition voiced to the committee.

HB 684 -- Vehicle Laws - Enforcement

Sponsor: O'Connor

Committee Action: Reported from the Transportation Committee
on a 10-3 vote.

This bill would give commercial vehicle inspectors employed by the Highway Patrol the power to enforce certain laws relating to motor vehicles, such as laws pertaining to the motor fuel tax, vehicle registration, driver's and chauffeur's licenses, vehicle equipment regulations, size and weight regulations, and motor carrier regulations. The Superintendent of the Highway Patrol would have the duty to see that every commercial vehicle inspector is thoroughly instructed in the powers to arrest for misdemeanors and to their limitations in power of arrest.

Proponents: Supporters say that this bill would speed up ticket procedures and not tie up the use of State Patrol manpower in issuance of tickets at truck weigh stations. Testifying for the bill were the Missouri State Highway Patrol and Missouri Bus and Truck Association.

Opponents: No opposition voiced to the committee.

HB 603 -- Highways - Construction of Roads

Sponsor: Cline

Committee Action: Reported from the Transportation
Committee on a 7-5 vote, with 2 members voting present.

This bill would require the State Highway Department to construct a hard-surfaced state highway to any municipality of 250 or more population, if the municipality is not more than 3.5 miles from an existing state highway and if the landowners along the route convey, without cost, the necessary right-of-way to the State Highway Department.

Proponents: Supporters say that the bill is needed to allow the State Highway Department to have enabling legislation to take over roads of the nature described in the bill. Supporters of the bill say that there are presently communities of this size living near hard-surfaced state highways but do not have adequate access roads to reach them in inclement weather. Some of these roads are gravel or dirt and the cost of building good access roads would be too expensive for the local people alone.
Testifying for the bill were Former State Representative Tom Baker, Stoddard County, President of Essex Road District and Mayor of Pendermin, Missouri, one of the communities effected by the bill.

Opponents: Those who oppose the bill say it would be too costly. They estimated it would entail as much as 33 miles of new road construction serving between 10 and 12 communities.

Testifying against the bill was the Missouri State Highway Department.

HB 268 -- Residential Qualifications for State Employees

Sponsor: Doll

Committee Action: Reported from the State Institutions and Property Committee on a 8-1 vote.

This bill would require every person who is appointed or employed by the state of Missouri in any position for which that person receives compensation shall be required as a condition of that employment, to be a resident of the state of Missouri within one year of the time he enters into his duties.

Proponents: Supporters say that the bill is needed to protect the interests of Missourians. Supporters say it is unfair for non-residents of Missouri to work at state tax payer expense within the state but yet pay property taxes in another state.

Testifying for the bill were Mr. Harry Gallager, Jackson County, Mo., Mr. Carroll Kennett, Assistant Attorney General in Kansas City and the City of Kansas City.

Opponents: No opposition voiced to the committee

SB 1 -- Natural Resources - Land Exchange

Sponsor: Merrill

Committee Action: Reported from the State Parks, Recreation
and Natural Resources Committee on a 15-0 vote.

This bill would authorize the director of the Department of Natural Resources to convey certain lands in Monroe County to the United States and to accept in return more than 607 acres from the United States over which the United States would have flooding and overflow easements.

Proponents: Supporters say the land trade was originally proposed in 1965, is supported by the Department of Natural Resources and has substantial local support.

Opponents: No opposition voiced to the committee.

SB 2 -- Drainage Districts - Reclamation Plan

Sponsor: Merrell

Committee Action: Reported from the Agriculture Committee
on a 16-1 vote, with one member voting present.

This bill would authorize the boards of drainage districts to adopt supplemental reclamation plans for draining, leveeing or reclaiming lands from overflow or damage by water, and to levy a proportional tax on property to be benefitted to pay the costs of the plan. The board could, after approval by property owners, issue bonds to finance such reclamation projects.

Proponents: Supporters say the bill is essential to enable drainage districts to issue bonds to finance needed reclamation projects in many of the state's drainage districts. Also revenue from these bonds are needed for match money to get federal funds.

Testifying for the bill were Engineer of Gregory Drainage District, attorney for Elsberry District and several members of drainage districts in the state.

Opponents: No opposition voiced to the committee.

SB 3 -- Levee Districts - Reclamation Plans

Sponsor: Merrill

Committee Action: Reported from the Agriculture Committee on a 16-1 vote, with 1 member voting present.

This bill would authorize the boards of levee districts to adopt supplemental plans for leveeing, protecting or reclaiming lands from overflow or damage by water, with the power to levy a new proportional tax on property owners to pay the costs of the supplemental reclamation plan. The boards could also issue bonds to finance the plan, after approval by property owners.

Proponents: Supporters say the bill is essential to enable levee districts to issue bonds to finance needed reclamation projects in many of the state's levee districts. Revenue from these bonds would also be used as match money for federal funds.

Testifying for the bill were the attorney for Elsberry district and members of levee districts in the state.

Opponents: No opposition voiced to the committee.

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* This edition contains corrected or amended material.
Please destroy the original page and replace it with
the corrected one.

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

HCS HB 267 -- Revision of Probate Code

Sponsor: Riley, Lowenstein

Committee Action: Reported from the Judiciary Committee
on a 7-1 vote.

Would enact a major revision of substantial portions of the probate code. The principal and most important changes are the adoption of the concept of independent administration under certain circumstances, the simplification of the manner in which claims are paid, changes in the statutes of descents and distributions to increase the share of a surviving spouse and other general simplification matters.

Proponents: Supporters say there has been a national trend for simplification of probate procedures to save money and time in the administration of a decedant's estate. They say it would be especially beneficial for smaller estates.

Testifying for the bill were the Missouri Bar Association, American Insurance Association, St. Louis County Probate Judge Lewis Kohn, Joint Legislative Committee of the National Association of Retired Teachers Teachers and American Association of Retired Persons.

Opponents: No opposition voiced to the committee.

(
HB 841, HCA 1 -- State Department Heads - Compensation
With Amendment

Sponsor: Rothman

(Committee Action: Reported from the Fees, Salaries and
Retirement Committee on a 12-0 vote, with one member
voting present.

This bill would raise the salaries of the commissioner of administration and the director of each department of state government to \$40,000, unless those directors appointed by the heads of departments authorized to set salaries of directors. Present salaries range from \$16,000 to \$30,000 a year.

Proponents: Supporters say the bill is exactly in line with recommendations made by the Citizens Salary Study Commission. Missouri needs the pay hike to be able to compete for qualified executive-level employees.
((Testifying for the bill were Brendan Ryan, Governor's Office and the Missouri State Highway Employees Association.

Opponents: No opposition voiced to the committee.

SJR 14, HCA 1 -- Industrial Revenue Bonds

Sponsor: Snowden

Committee Action: Reported from the Urban Affairs
Committee on a 9-0 vote.

SJR 14 would allow the governing body of any political subdivision of the state to authorize by majority vote the issuance of revenue bonds for industrial development or the construction of utilities. Currently bonds can be only issued by voter approval. SJR 14 amends the same section of the Constitution as HJR 14 and 21 dealing with municipal pooling. HCA 1 would limit the scope of this bill by excluding the power of eminent domain, and by explicitly stating that the revenue bonds issued under the provisions of this Joint Resolution are not an indebtedness of any officer of the municipality.

Proponents: Supporters say that Missouri is losing business and residents to Kansas and other states that have this authority. It is estimated that this Joint Resolution would create 27,000 new jobs, plus add to the tax base of the state.

Testifying for the bill were the City of Kansas City, and the Kansas City Chamber of Commerce.

Opponents: No opposition voiced to the committee.

SB 255 -- St. Louis Police Pay Raise Bill

Sponsor: Scott, et al

Committee Action: Reported from the Municipal
Corporations Committee on a 6-0 vote.

This bill affects policemen in the city of St. Louis.
It makes the following changes:

1. It removes the requirement that the municipal board of estimate and apportionment approve the number of patrolmen and officers appointed.
2. It raises the permissible number of patrolmen by 33.
3. It increases the permissible number of turnkeys to 150. Under this bill 2 new turnkeys may be appointed for every patrolman who is promoted, demoted or separated.
4. It increases vacation and time off allowances.
5. It increases the number of lieutenants by 5, the number of sergeants by 30 and decreases the number of corporals by 196.
6. It gives an across the board pay increase of approximately 7%.
7. It provides for reimbursement for overtime for over 40 hours either in compensatory time off or pay at the normal rate at the discretion of the policeman. Overtime for court standby time is to be computed at 1/3 the regular rate.
8. All officers of the rank of lieutenant or above would receive 8% additional compensation in lieu of overtime.
9. It makes mandatory that active policemen receive life, health, and disability insurance.
10. Everyone below the rank of lieutenant gets a 5% shift premium for hours worked between 11:00 p.m. and 7:00 a.m.
11. There is an emergency clause to allow policemen's pay increase to coincide with that of other public employees in St. Louis.

Proponents: Supporters say the policemen need an increase and this is all the city of St. Louis can reasonably afford to pay.

Testifying for the bill were the St. Louis Board of Police Commissioners, T.D. McNeal, past board President, Lt. Col. John Doherty, Mayor Poelker's office and Joe Gummell.

Opponents: Those who oppose the bill say that the raise proposed by this bill does not even keep pace with cost of living increases. They say it does not adequately compensate the policemen.

Testifying against the bill were Representative Blassie who appeared to propose an amendment, the St. Louis Police Officer's Association who offered as a substitute for SB 255 a bill containing the provisions of HB 550, the St. Louis Firefighters Union.

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SB 75 -- Grain Warehouse Law

Sponsor: Tinnin and Merrell

Committee Action: Reported from the Agriculture Committee
on a 22-0 vote.

— This bill would completely revise the statutes regulating and governing grain warehouses in Missouri. The bill would increase the amount of bond required for grain warehouses and also increase the maximum fees for public warehouse licenses. The bill would require that every warehouseman maintain stored grain inventories of sufficient quantities, qualities and grade to meet at all times his storage obligations. The bill requires the warehouseman to maintain at each licensed warehouse facility current and complete records with respect to all grain delivered to, withdrawn from and received, stored or processed at that warehouse. Any illegal or false alteration of records or accounts is a felony.

— Proponents: Supporters say that revision of the present statutes are needed to make the law more usable and effective. Supporters say that bond rates should be raised to protect the farmer or grain owner who stores grain in warehouses. Supporters say that the bill would provide for uniform record keeping by warehouses which would simplify enforcement of law. Supporters also contend that additional inspection powers are needed to enforce the law and protect the interests of farmers. Testifying for the bill were the Missouri Department of Agriculture; Missouri Agriculture Council; Indiana Commodity Agency, State of Indiana; Midcontinent Farmers Association; Missouri Farm Bureau; National Farmers' Organization and several farmers from Randolph County.

— Opponents: No opposition voiced to the committee.

SB 68, HCA 1 -- Compensation of Kansas City Police Chief
and Officers of the Police Department

Sponsor: Sen. Mary Gant

Committee Action: Reported from the Governmental
Organizations Committee on a 8-0 vote,

This bill provides:

1. A \$2,000 per year pay increase for the chief of police of the City of Kansas City.
2. Cost of living increases for other officers, excluding the chief of police.
3. No credit would be given or deductions taken from the pay of police officers for compensation received for education or skill incentives;
4. HCA 1 would provide that additional pay increments for police officers for education and skill training could not be considered in determining base pay and no more than 25% of the officers of any rank below sergeant could be eligible at any given time for education or skill incentive programs. However, no officers now receiving these benefits could be deprived of benefits.

Proponents: Supporters say when the Kansas City police officers received their last pay increase, a pay increase for the chief of police was inadvertently omitted from the bill. The police board believes that the chief of police, because of his responsibilities, should be among the highest paid city officials. He now ranks eighth.

Testifying for the bill were the Vice president of the Board of Police Commissioners, and the attorney for the Board of Police Commissioners.

Opponents: At the hearing, a representative of the City of Kansas City stated that the provisions relating to education and skill incentives were open-ended and that the city would have no control over the amount of money to be spent, in spite of the fact they must pay the bills. HCA 1 was offered as an amendment to solve the city's objections.

Testifying against the bill was the City of Kansas City.

— SB 6 -- Funeral Directors

Sponsor: Merrell , et al

Committee Action: Reported from the License and Related
Matters Committee on a 6-0 vote.

— Would require funeral directors to take examinations for
licensure similar to those required for embalmers.
Funeral directors who reside in a county of a state
adjacent to Missouri, if the county is contiguous to
Missouri, may be licensed as funeral directors. Rules
and regulations promulgated by the Board of Embalmers
and Funeral Directors would expire November 30, 1981.
This bill contains a grandfather clause.

Proponents: Supporters say the licensing by examination of
of funeral directors would protect the public. At the
present time applicants must meet minimum qualifications
such as age, residency, and the ability to pay a fee.

— Testifying for the bill were the Associated Cemeteries
of Missouri and the Board of Embalmers and Funeral
Directors.

Opponents: Reservations were expressed by the Board of
Embalmers and Funeral Directors with respect to the
termination of authority to promulgate rules and
regulations.

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SCS SB 49, HCA 1 -- Definitions of "Injury" and
"Personal Injuries"

Sponsor: Frappier

Committee Action: Reported from the Workmen's Compensation
(Committee on a 7-0 vote, with one person voting present.

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This bill proposes a change in the definitions of the terms "injury" and "personal injury" -- violence to the physical structure of the body and to the personal property which is used to make up the physical structure of the body, such as artificial dentures, artificial limbs, glass eyes, eyeglasses, and other prosthesis which are placed in or on the body to replace the physical structure. This bill additionally provides that the employer shall be required by the Division of Workmen's Compensation or the Labor and Industrial Relations Commission to furnish an injured employee with an artificial eye, eyeglasses, artificial dentures, artificial limbs or other prosthesis when such items were damaged or destroyed as
(a result of a work related accident.

Proponents: Supporters say that this bill is needed in that the Attorney General has consistently ruled that even though personal property, which is used to make up the physical structure of the body, is damaged in a work related injury, that the employer need not replace such property.

Testifying for the bill were the American Federation of State, County and Municipal Employees and the Division of Corrections.

Opponents: No opposition voiced to the committee.

— SB 62 -- Fire Protection Districts

Sponsor: Murray

Committee Action: Reported from the Workmen's Compensation
Committee on a 8-0 vote.

— This bill would allow the boards of directors of fire protection districts with the approval of the qualified voters, to provide for the pensioning of the salaried members of its organized fire department, including the pensioning of any such members who become permanently incapacitated for duty as the result of accident or exposure occurring while the members are in the actual performance of their duties. This section of the statutes currently provides for the payment of death benefits to the widows and minor children of members of the organized fire departments who lose their lives in the performance of their duties. This bill further states that the board of directors of any fire protection district which has a pension system for the salaried members of its fire department in operation on the effective date of this act
— may provide for the pensioning of any such members who hereafter become permanently incapacitated for duty as the result of accident or exposure occurring while the members are in the actual performance of their duties without submission of the proposition to do so to the qualified voters of the district.

Proponents: Supporters say that the bill is necessary to allow the voters of fire protection districts to expand coverage of pension benefits for the districts' salaried members.

Testifying for the bill was the Missouri State Council of Firefighters.

Opponents: No opposition voiced to the committee.

— SB 385, HCA 1 -- Fees for County Surveyors

Sponsor: Snowden, Bradshaw

Committee Action: Reported from the Governmental
Organizations Committee on a 8-0 vote.

— The bill provides:

1) that registered and licensed land surveyors in Greene, Clay, and Platte Counties may perform surveys and retain the fee charged for performing the survey. The surveyor could not be on the staff of the highway administrator or receive a salary.

2) that county surveyors in all counties could charge a reasonable fee for surveys, rather than fees specifically established by statute. (HCA 1)

Proponents: Supporters say in 1973 when Greene, Clay and Platte Counties became first class counties, a number of bills were passed to bring those counties into compliance with laws relating to first class counties. This particular section was inadvertently omitted.

— Opponents: No opposition voiced to the committee.

— SS SB 48 -- Consent for Medical or Surgical Treatment

Sponsor: Frappier

Committee Action: Reported from Public Health and
Safety Committee on a 11-1 vote.

— The bill which is identical to HCS HB 324 specifies persons empowered to give consent for medical or surgical procedures in the following instances:

- 1) any person 18 years of age or older for himself;
- 2) parents for minor children in their legal custody;
- 3) minors who are married and for their children;
- 4) any person for the following conditions: pregnancy, excluding abortions; venereal disease; drug abuse;
- 5) adults acting in loco parentis, formally or not, for minors in their care;
- 6) guardians for minor wards;
- 7) adults for minor brothers and sisters in the absence of parents; and
- 8) grandparents for minor children in the absence of parents.

— Permission for medical or surgical treatment would apply only in emergencies to all of the above except (4). Persons providing health care in an emergency would be justified in relying on the statement of the individual caring for a minor child that he is empowered to give consent.

Proponents: Supporters say the age of consent has been lowered for other purposes, and individuals who are 18 years of age or older who are able legally to sign contracts should be empowered to give consent for their own medical treatment. There should also be a provision in the law for individuals acting in a parent's absence to obtain emergency care for minors in their care.

Testifying for the bill was the Associated Students of the University of Missouri.

— Opponents: No opposition voiced to the committee.

HCS SB 214 -- Tax Break for Deferred Maintenance

Sponsor: Piekarski

Committee Action: Reported from the Urban Affairs
Committee on a 10-0 vote.

This bill would provide a tax abatement for five years for deferred maintenance activities performed on owner-occupied dwellings of four or fewer units. The bill does not cover new construction but provides for the renovation of older property. HCS SB 214 is similar to HB 565.

Proponents: Supporters say the bill would encourage continuous renovation of existing property.

Opponents: No opposition voiced to the committee.

SB 273 -- Sample Ballots

Sponsor: Wilson

Committee Action: Reported from the Elections Committee
to a 6-0 vote, with one member voting present.

This bill provides that at least 45 days before the August primary, each county clerk and board of election commissioners shall prepare sample ballots listing candidates in the order in which they filed instead of alphabetically.

Proponents: Supporters say this bill will make for less confusion. As it is now, many people do not understand why their names do not appear in the order in which they file.

Testifying for the bill were the Secretary of State and the Missouri Association of Counties.

Opponents: No opposition voiced to the committee.

SB 98 -- Notice of Dismissal for State Merit Employees

Sponsor: Webster and Merrell

Committee Action: Reported from the Employment Security
and Fair Employment Practices Committee on a 6-0 vote.

Provides that when it is not practicable to give notice of dismissal to a state merit system employee in person, it may be sent to the employee by certified or registered mail, return receipt requested, at his last mailing address as shown in the personnel records of the appropriate appointing authority. Proof of refusal of the employee to accept delivery or the inability of postal authorities to deliver such mail shall be accepted as evidence that the required notice of dismissal has been given.

Proponents: Supporters say that this bill will prevent an employee who walks off the job from returning a year later and suing the state for back wages because he was not properly notified, in person, of his dismissal. Four such awards have been made, requiring the state to pay more than \$19,000 in damages. Supporters further claim that this bill will only affect employees who leave their jobs, by closing a loop-hole in the law.

Testifying for the bill was Edward Godar, Director of Personnel for Missouri State Merit Employees.

Opponents: No opposition voiced to the committee.

SB 96, HCA 1 -- Telephone Service Fraud

Sponsor: Webster

Committee Action: Reported from the Civil and Criminal Justice Committee on a 7-2 vote, with one member voting present.

This bill has two main portions. Section 1 would make it a criminal offense to obtain or attempt to obtain phone service by deceit without paying for it. The second part of this bill deals with electronic or mechanical devices. It would make it a criminal offense to knowingly make or receive a call in which a device is used to avoid phone billing. The penalty for this offense would be the same as for a section 1 violation (up to \$500 or 6 months or both), unless the charges avoided were over \$50 in which case the penalty could go up to \$1000 or 1 year in jail or both. To have possession of, to transfer, or to make a mechanical device which could be used to avoid payment would be an offense punishable by a fine of up to \$1000 or 1 year in jail or both. Finally, if a person uses, transfers, or makes a mechanical or electronic device to defraud the phone company for someone else and is paid for such service he would be subject to the stiffest penalty of up to a \$5000 fine and/or imprisonment for a minimum of 2 and maximum of 5 years.

Proponents: Supporters say this bill is a tool needed to combat organized crime and the narcotics trade. The infamous black, blue, and red boxes used to circumvent telephone billing have as their primary purpose the avoidance of records of phone calls. Making use of this tool a crime would give law enforcement officers a better chance of getting to the more enterprising criminal elements. Expert testimony was given at the hearing that the devices this bill would outlaw use sound signals whose frequency is under patent to phone companies and that they have no use other than to circumvent phone record keeping and billing. Testifying for the bill were Senator Webster and a law enforcement representative from the FBI.

Opponents: No testimony in opposition to the bill but some committee members say they are not convinced that the electronic and mechanical devices themselves should be outlawed.

— SB 478 -- Hardship Driving Privileges

Sponsor: Gannon, Dinger

Committee Action: Reported from the Judiciary Committee
on a 9-0 vote.

— This bill would give magistrate courts in single county
judicial circuits jurisdiction to grant hardship driving
privileges.

Proponents: Supporters say presently the only magistrate
courts which have jurisdiction in this area are those
located in counties which are part of a multicounty
judicial circuit.

Opponents: No opposition voiced to the committee.

SB 430 -- Visitation Rights in Marriage Dissolution Actions

Sponsor: Cox, Webster, Dinger

Committee Action: Reported from the Judiciary Committee
on a 8-1 vote.

Identical to HB 391. Would allow a court to grant reasonable visitation rights to the grandparents of the children of a divorced couple. Would also give the juvenile court jurisdictional cases where one parent of a child in a marriage dissolution situation is deceased and the surviving parent denies visitation rights to the deceased spouse's parents.

Proponents: Supporters say it is unfair for grandparents to be denied visitation rights.

Opponents: No opposition voiced to the committee.

— SB 180 -- Odometer Disclosures

Sponsor: Banks

Committee Action: Reported from the Consumer Protection Committee on a 20-0 vote.

— The bill would require any person transferring ownership of a motor vehicle to give an affidavit of mileage at the time of the transfer. The affidavit is to appear on the face of the title. If the mileage is unknown or known to be different from the odometer reading, an affidavit shall be furnished giving all facts known by the person making the transfer. This affidavit shall accompany the assignment of title. Violation of these provisions by a person licensed as a manufacturer or dealer could result in cancellation of license.

— Proponents: Supporters say that it is now easy to "launder" titles in Missouri because there is no requirement that mileage be written on the title at time of transfer. The state is a center for odometers rollbacks on cars from neighboring states which have such a requirement.

— Testifying for the bill were Senator Banks and the Attorney General's Office.

Opponents: No opposition voiced to the committee.

SB 250 -- Common Trust Funds

Sponsor: Gant, Jones

Committee Action: Reported from the Banks and Financial
Institutions Committee on a 10-0 vote.

Would permit banks to purchase stocks, bonds, etc., in
common trust funds, similar to privileges now accorded
trust companies. The bill passed the Senate on a 32-0 vote.
vote.

Proponents: Supporters say this would give small banks in
Missouri better opportunities for investment of funds.
Testifying for the bill was the Missouri Bankers
Association.

Opponents: No opposition voiced to the committee.

SCS SB 9, HCA 1 -- County Collector's Compensation

Sponsor: Merrell

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 11-0 vote, with two members voting present.

Would increase the percentage commission received by county collectors in third and fourth class counties for collecting taxes. This compensation may not exceed \$10,000 per year, except in those counties having two county seats, in which case the compensation may not exceed \$12,000. The bill would also allow the collector a percentage on collection of back and delinquent taxes. It would also provide that excess monies would go into the county treasury only. The collector would then fund his deputies and assistant's salaries through the county treasury by requesting funds of the county court. According to the annual settlements of the county collectors for the year ending February 29, 1976, the amount of excess paid to the state was \$3,137. Since this section of the proposal does not become effective until March, 1979, the annual loss to general revenue of the state is estimated at \$4,000.

Proponents: Supporters say there is too much disparity between collector's salaries in Missouri, and this legislation would correct that.

Testifying for the bill was the Montgomery County collector.

Opponents: No opposition voiced to the committee.

HCS SB 164 -- Bus Weights

Sponsor: Gant, Wilson

Committee Action: Reported from the Consumer Protection Committee on a 20-0 vote.

The bill would raise weight limits for the rear axles of buses from the present 18,000 pounds on a small axle and 32,000 pounds on a tandem axle to 20,000 pounds and 34,000 pounds

Proponents: Supporters say that the bill is necessary because of a ruling of the United States Department of Transportation that limits the weight on front axles. The ruling has forced buses to shift their weight to the rear. This has made them overweight in Missouri only, since Missouri is the only state that weighs buses by the axle.

Testifying for the bill were Greyhound, Continental Trailways, Division of Tourism, Missouri Transit Lines, Jefferson Lines and Trenton-St. Joseph Coaches.

Opponents: No opposition voiced to the committee.

HJR 43 -- Relating to Teachers Serving in the General
Assembly

Sponsor: Seay

Committee Action: Reported from the Governmental
Organizations Committee on a 8-0 vote.

Would amend the state constitution to permit teachers to
serve as members of the General Assembly on leave without
pay from their teaching position.

Proponents: Supporters say the present prohibition
against teachers serving as members pf the legislature
is based on an attorney general's opinion. There has
been no court test to determine whether the prohibition
would withstand a court test. A representative of the
Missouri State Teachers Association testified in favor
of the bill and stated that the Missouri State Teachers
House of Delegates adopted a resolution in favor of this
legislation.

Opponents: No opposition voiced to the committee.

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Prepared by:
House Research Staff
Kenneth J. Rothman, Speaker

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HJR 9 -- Elections - Governor, Lieutenant Governor

Sponsor: Downing

Committee Action: Reported from the Election Committee

This bill would require that the governor and lieutenant governor be a team, so that a vote for the governor is a vote for the lieutenant governor of the same party.

Proponents: Supporters say the governor and lieutenant governor should be of the same party to avoid potential political and administrative problems when the officials are of different parties.

Opponents: No opposition voiced to the committee.

HJR 25 -- Governor and Lieutenant Governor to be of
Same Party

Sponsor: Kennedy, et al

Committee Action: Reported from the Election Committee
with no vote.

This bill provides that the governor, lieutenant governor, secretary of state, state treasurer and attorney general shall be elected for four year terms. This bill would require that the governor and lieutenant governor be members of the same political party. They have to run as a team, so that a vote for the governor would be a vote for lieutenant governor. The governor and treasurer may be elected no more than twice.

Proponents: Supporters say the governor and lieutenant should be of the same party, to avoid potential political and administrative problems when the officials are of different parties.

Opponents: No opposition voiced to the committee.

HJR 33 -- State Officials' Elections

Sponsor: O'Toole

Committee Action: Reported from the Elections Committee

his bill would require that the governor and lieutenant governor be members of the same party, and that they appear on ballot as a team, so that a vote for one would be a vote for the other nominee of the same party. The bill would require that the governor be at least 35 years of age, have been a citizen of the United States for at least 15 years and must be a resident of the state for seven years, rather than the current requirement of 10 years, before his election. This bill would also provide that a governor or treasurer could serve more than two terms if, after serving two consecutive terms, one full term intervenes before he is elected again.

Proponents: Supporters say they believe no one benefits from a dual system and that the governor and lieutenant governor should be members of the same political party.

Opponents: No opposition voiced to the committee.

HCS HB 861,862,863 -- Human Rights Commission - Examiners

Sponsor: Vossmeier

Committee Action: Reported from the Governmental
Review Committee on a 7-0 vote.

This bill would allow members of the Commission on Human Rights to receive compensation each time they hear complaints involving alleged discriminatory practices. The bill provides for the use of hearing examiners for human rights commissioners.

Proponents: Supporters say volunteers alone cannot move the existing backlog of cases. They also say there is a need for examiners, because they have legal training.

Testifying for the bill was the Director of Human Rights.

Opponents: No opposition voiced to the committee.

HCS SB 10 -- Truck Weight and Length

Sponsor: Merrell

Committee Action: Reported from the Consumer Protection Committee with a recommendation of "Do Not Pass" on a vote of 10-10.

The bill would increase the maximum allowable weight for trucks from 73,280 pounds to 80,000 pounds and the maximum allowable length from 55 to 60 feet. The maximum weight for a single axle is increased from 18 to 20,000 pounds and for a tandem axle from 32 to 34,000 pounds. Weight on the steering axle is limited to 12,000 pounds. Trailer length is limited to 46 feet. The annual registration fee is raised for all weight categories from 24,001 pounds and above. A new table of allowable weight per number of axles is established.

Proponents: Supporters of the bill say that the weight increase will make trucking more efficient by increasing the haul per trip. It will place Missouri with the majority of states, which allow the higher weight on their highways.

Testifying for the bill were the Missouri Bus and Truck Association, American Trucking Association, Schnucks Markets, Missouri Farm Bureau Federation, Missouri Concrete Association, Missouri Dump Truck Association, Missouri Cattlemen's Association, Owner Operators and Independent Drivers Association, Missouri Oil Jobbers Association, Kansas City Stockyards, St. Joseph Stockyards, Missouri Land Improvement Contractors, Leeser Truck Line, Daniel Truck Company.

Opponents: Opponents of the bill say that the heavier trucks will reduce pavement life and increase highway construction costs. The total cost would be many millions of dollars more than the amount increased registration fees would raise. Thus the increased efficiency cited by the proponents of the bill would not save the consumer money, for tax revenue will have to be raised to pay for the increased highway costs. They also argue that the larger trucks are

more dangerous to drive and more lethal when involved in accidents with automobiles. Some opponents believe that the bill will put truck drivers out of work.

Testifying against the bill were the Aldermen from the City of Bellefontaine Neighbors, Chairman of the Traffic Commission, Bellefontaine Neighbors, Teamsters Union, Missouri Association of Consumers, Automobile Club of Missouri, Missouri Highway Department, United Transportation Union and Missouri Railroad Committee.

SB 47, HCA 1,2 -- Higher Education - Land Sales

Sponsor: Frappier

Committee Action: Reported from the Governmental
Review Committee on a 5-1 vote.

This bill would require legislative approval of the sale of over 2500 acres of land by the University of Missouri.

Proponents: The University of Missouri and Lincoln University are the only two in the State who do not have to seek such approval. According to Senator Frappier, research indicated that the bill would not have altered any sales that occurred in the last seven years.

Opponents: Those who oppose the bill say the bill would affect the conveyance of public land for public improvement and would discourage donations by private owners because of public discussion on the initial stages. University attorneys would also be hampered in reaching an agreement with possible donors because they could not guarantee that their intent could be honored.

Testifying against the bill was the University of Missouri.

SB 317, HCA 1 -- Small Loans

Sponsor: Merrell

Committee Action: Reported from the Consumer Protection
Committee on a 16-0 vote.

Present law requires that all loans to a person be consolidated into one for purposes of determining the maximum interest that can be charged on amounts up to \$500. This bill requires consolidation only within loan types (closed end credit contracts, overdraft banking, credit card contracts).

Proponents: Supporters say the present law is impossible to follow. The bill would simply make present practice legal.

Testifying for the bill was the Missouri Bankers Association.

Opponents: There was no formal opposition to the bill, but members of the committee were concerned that it might allow loan-splitting in order to get higher interest. HCA 1 was adopted to deal with this.

SB 112 -- County Recorders - Fees

(Sponsor: Bradshaw, et al

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 9-0 vote, with one member voting present.

(This bill changes the method of assessing costs for the filing of various documents by the recorder of deeds. Charges would be based on the number of pages filed, rather than the number of words in a document, the number of courses, etc.

Proponents: Supporters say the bill simplifies and brings uniformity to the charging of recording fees. The uniform page requirements make the documents fit the photo copying equipment that many recorders use now, thus speeding the recording process. The present law is impractical and difficult to comply with. Testifying for the bill were the Missouri Recorders Association, Missouri Land Title Association, and the Missouri Association of Counties.

(- Opponents: No opposition voiced to the committee.

SB 230 -- Railroad Annual Meeting

Sponsor: Ryan, Wiggins

Committee Action: Reported from the Civil and Criminal
Justice Committee on a 8-0 vote, with one member
voting present.

This bill would do away with pro forma meeting requirements of directors of railroad companies.

Proponents: Supporters say this is a housekeeping bill.
They argue the meeting requirements are archaic. The
statute is only a nuisance and serves no meaningful
purpose.

Testifying for bill was Senator Wiggins

Opponents: No opposition voiced to the committee.

HCS SB 142, 433 -- Guardianship Requirement

Sponsor: Bild, Welliver

Committee Action: Reported from the Civil and

Criminal Justice Committee on a 8-0 vote, with
one member voting present.

This committee combines two bills dealing with court appointed guardians for minors and incompetents. The bill would allow courts to dispense with guardianship or bond requirements and act as the administrator for the estates of minors and incompetents of up to \$5000. The courts presently have this power for such estates of up to \$1500. This bill also deals with dismissal of guardians ad litem or next friends of minors who win a lawsuit brought in the name of the minor. This bill would raise from \$1500 to \$5000 the maximum amount which the court may in its discretion order awarded directly to the minor without appointing a new guardian. In both these situations the court's action is to be based solely on what is in the best interests of the minor or incompetent. The change in the maximum amount is the only change proposed.

Proponents: Supporters say guardianships should be avoided when this small an amount of money is involved. Inflation has rendered the \$1500 figure obsolete. To set up guardianships for amounts under \$5000 is more expensive than whatever protection it affords is worth.

Testifying for the bill were Senator Welliver and the Missouri Association of Trial Attorneys.

Opponents: No opposition voiced to the committee.

SB 86, HCA 1 -- Bees - Apiculture Law

Sponsor: Tinnin

Committee Action: Reported from the Agriculture
Committee on a 20-3 vote.

This bill would provide for closer regulation of bee-keeping operations in Missouri. It provides that the director of the State Department of Agriculture will administer the provisions of this bill and appoint apiary inspectors, who are practical beekeepers, to inspect apiaries or hives for bee diseases or other pests, and would issue certificates of health for those apiaries found healthy. Diseased apiaries could be quarantined, and if conditions are not eliminated, eradicated with compensation. This bill would make it unlawful to move or ship bees and related equipment into Missouri without a permit. Violation of Section 6 of this bill is a misdemeanor. The bill has an effective date of January 1, 1978.

Proponents: Supporters say that the bill is necessary to give responsible beekeepers protection against irresponsible beekeepers who have diseased bees or equipment. They point out that Missouri is the only state without a strong Apiculture Law, and that Missouri now ranks 11th in the production of Honey producing nearly 5.8 million pounds annually. Supporters contend the bill is essential to protect the honey industry's future in Missouri.

Testifying for the bill were Representative Douth, Missouri Department of Agriculture, Missouri Beekeepers Association, Robins Aviaries (the largest bee operation in Missouri), Missouri Farm Bureau, and National Farmers' Organization.

Opponents: No opposition voiced to the committee.

SB 449, HCA 1 -- Easement - Adair County

Sponsor: Cox

Committee Action: Reported from the State Parks, Recreation
and Natural Resources Committee on a 17-0 vote.

This bill would authorize the director of The Department of Natural Resources to grant a 20 foot easement along the north boundary line of Thousand Hills State Park to Public Water Supply District No. 1 of Adair County. This bill is identical to HB 848, pending in the State Parks, Recreation and Natural Resources Committee.

Proponents: Supporters say Water District #1 needs water.

The easement would not interrupt any existing facilities.

Testifying for the bill were Representative Hill and the Division of Parks and Recreation

Opponents: No opposition voiced to the committee.

SB 92, HCA 1,2 -- "Record Piracy"

Sponsor: Webster, Bradshaw, and Wiggins

Committee Action: Reported from the Judiciary Committee
on a 10-0 vote.

This bill would make it a crime to re-record records, tapes, etc., without the consent of the "owner" when the intent is to market the pirated material. This would be a misdemeanor for the first offense (six months and/or \$1,000 fine), and a felony for subsequent offenses (two to five years imprisonment). The sale of pirated materials with knowledge or reasonable grounds to know that they are pirated is a misdemeanor (six months and/or \$1,000 fine).

Proponents: Supporters say this is akin to copyright protection, with like benefits; discouraging the stealing of an artist's work.

Testifying for the bill was Senator Bradshaw.

Opponents: No opposition voiced to the committee.

SB 100, HCA 1 -- Certified Public Accountants

Sponsor: Webster

Committee Action: Reported from the License and Related
Matters Committee on a 5-0 vote.

Senate Bill 100 recodifies laws pertaining to certified public accountants, which have remained virtually unchanged since 1943. It would not affect individuals who perform bookkeeping duties, prepare tax returns on a seasonal basis, or who are "public" or "independent" accountants. The bill places stricter limitations on the use of the title "C.P.A." It would also provide:

1. That individuals employed by private firms could become C.P.A.'s without having to work for a C.P.A. firm for two years.

2. Resident offices of C.P.A. firms would be required to have a C.P.A. on the staff.

3. C.P.A.'s would be required to possess a "live permit" which would be issued yearly.

4. Rules and regulations promulgated by the Board of Accountancy would expire within two years unless extended by concurrent resolution of either house and approved by the governor. The authority to promulgate rules and regulations would expire November 30, 1981.

5. Candidates for licensure as a C.P.A. would be permitted to re-take any part of the examination they might fail at any regularly scheduled examination. A fee would be required.

6. There would be increased ceilings placed on fees which could be charged. The amount of fees would be determined by the board of accountancy, within limitations imposed by the board.

Note: Senate Bill 100 was introduced in 1976 in the Senate and when it was considered in the House, certain objections were made. This year's bill contains provisions which would remove those portions of the bill to which the House objected. One example was that the 1976 bill contained a requirement for continuing education, which has been omitted from Senate Bill 100.

Proponents: Supporters say the use of the term "C.P.A." should indicate to the public that the individual using that title has received certain training and that he has achieved a certain level of competency.

Testifying for the bill were the Missouri Society of Certified Public Accountants; Board of Accountancy; Randy Sanders, student at the University of Missouri, St. Louis

Opponents: No opposition voiced to the committee.

SB 439, HCA 1 -- Professional Engineers' Examination
for Licensure

Sponsor: Wiggins

Committee Action: Reported from the License and Related
Matters Committee on a 5-0 vote.

Senate Bill 439 would change the requirements for examination for licensure of professional engineers by permitting students in their last year at an accredited school of professional engineering to take part one of the examination and become "engineers in training." After at least four years of experience, an engineer in training could take part two of the examination and be licensed.

HCA 1 would provide that rules promulgated by the board would expire within two years, unless extended by concurrent resolution of either House and approved by the Governor. Authority to promulgate rules and regulations would expire November 30, 1981.

Proponents: Supporters say by permitting students in engineering schools to take part one of the examination during their last year of school, they would be able to save a year in beginning their career. Testifying for the bill was the Missouri Society of Professional Engineers.

Opponents: No opposition voiced to the committee.

SS SB 74 -- Textbook Fund

Sponsor: Tinnin

Committee Action: Reported from the Education Committee
on a 16-1 vote, with one member voting present.

This bill requires that free textbooks be furnished to all public school children in grades kindergarten through twelve. Books may be paid for from either the free textbook fund or from the incidental fund of the district if the textbook fund is insufficient. The funds may also be used for supplementary texts, library and reference books, contractual educational television services and instructional supplies.

Proponents: Supporters say that the bill ~~deletes~~ material that has been declared unconstitutional. It allows more flexibility in the spending of the textbook fund.

Testifying for the bill was the State Department of Education.

Opponents: Those who oppose the bill say that allowing textbook money to be spent for television services subverts the purpose of the textbook fund.

Testifying against the bill was the Missouri Textbook Publishers Association.

(SB 196 -- West Plains Branch of Southwest Missouri
State University

Sponsor: Melton

(Committee Action: Reported from the Education
Committee on a 15-0 vote, with one member voting
present.

The bill authorizes Southwest Missouri State University to continue to operate the residence center at West Plains and to make an appropriations request for the center, to be known as the West Plains Branch of SMSU.

Proponents: Supporters say the bill would give statutory authority for what is already being done. West Plains needs this branch because there is no college closer than 110 miles and assessed valuation in the area is not high enough for a junior college district.

Testifying for the bill were Senators Melton and Tinnin and Representative Bailey.

(Opponents: No opposition voiced to the committee.

SS SB 152 -- Requirements for License to Teach

Sponsor: Ryan

Committee Action: Reported from the Education Committee
on a 12-0 vote, with two members voting present.

As of July 1, 1976, a teaching certificate cannot be issued to a person who has not taken a two hour course in the psychology and education of the exceptional child. This bill would prohibit only the granting of a life certificate to such persons. Temporary certificates could be granted to them. The bill has an emergency clause.

Proponents: Some supporters say that the law requiring the course has made it difficult to hire teachers, especially temporary teachers and vocational teachers. They also oppose putting specific certification requirements into law. Other supporters believe strongly in the requirement that teachers have a course in the education of the exceptional child and would oppose a complete removal of this requirement. They can support making it apply only to the granting of life certificates.

Testifying for the bill were the Missouri State Teachers Association, State Fair Community College, Missouri Association of Parents of Children with Learning Disabilities.

Opponents: No opposition voiced to the committee.

SB 461 -- Duty of County Clerk to Keep the County
Ward Book

Sponsor: Wiggins

Committee Action: Reported from the Governmental
Organizations Committee on a 10-0 vote.

Senate Bill 461 would repeal a provision requiring county clerks to keep a county ward book which lists all individuals from the county who are sent from the county to charitable institutions in the state.

Proponents: Supporters say most counties are not now complying with this requirement and those that do are duplicating other records which are kept. The law was originally enacted in 1929, and modern record keeping facilities and methods make the requirement obsolete. It costs Jackson County approximately \$10,000 to comply.

Testifying for the bill was Harry Gallagher, representing Jackson County, who stated that because of budget problems, it is impossible for Jackson County to comply with the current requirement.

Opponents: No opposition voiced to the committee.

SB 270, HCA 1,2,3,4 -- Regulation of Credit Life and
Credit Accident and Health Insurance

Sponsor: Wilson

Committee Action: Reported from the Insurance Committee
on a 7-0 vote.

Senate Bill 270 would authorize the director of the Division of Insurance to regulate the issuance of credit life and credit accident and health insurance in accordance with guidelines set forth in the legislation. The bill sets forth the following:

1. forms in which credit insurance may be issued;
2. limitations on the initial amount of insurance not to exceed the actual amount of unpaid indebtedness, whichever is greater;
3. time limits on such insurance in order to insure that it is not extended beyond the life of the debt;
4. provisions which must be included in the policy;
5. revisions and changes in policies which must be filed with the director of insurance;
6. revisions and changes in premium rates;
7. regulations with respect to claims;
8. limits on rates;
9. a requirement that the debtor must notify the borrower if credit insurance is required or requested as additional security for indebtedness and must inform the borrower that he may obtain insurance either through the debtor or on his own;
10. a requirement that credit insurance may only be issued by insurance companies authorized to do business in the state of Missouri. The requirement also applies to reinsurance.
11. Rules and regulations may be issued by the director of insurance, in accordance with laws relating to insurance of rules and regulations, in order to carry out the intent of the law.

Proponents: Rates for credit life insurance in Missouri range from \$1 to \$2 per \$100 of indebtedness, even though insurance companies have paid as little as 12 cents from every dollar in claims. This has resulted in excessive charges to consumers in relation to benefits provided.

There are no statutes governing the sale of credit insurance at the present time, and the result has been commission payments of as much as 80% annually to persons representing credit insurance companies. In many instances, these persons are not licensed agents.

There have been abuses recorded by the Division of Insurance concerning coercion in the sale of credit insurance and failure to provide borrowers with evidence of coverage.

Missouri credit life rates are at least 30% higher than in some surrounding states, even though Missourians' life expectancies are certainly not 30% lower. It is estimated that this legislation would save consumers at least \$7 million annually. Testifying for the bill were the Division of Insurance; Missouri Automobile Dealers Association; James Spradling, representing bank holding companies.

Opponents: No opposition voiced to the committee.

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Prepared by House Research Staff
Kenneth J. Rothman, Speaker

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HB 826, HCA 1 -- County Planning Commission

Sponsor: Lewis

Committee Action: Reported from the Local Government
and Related Matters Committee on a 7-1 vote.

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This bill with the amendment would allow the voters of first class counties to vote on planning and zoning commissions. The approval of the majority of those voting would either begin, continue or terminate the commission.

Proponents: Supporters say communities would like to have a choice and some control of their planning and zoning commissions. All counties, except first class counties, currently have this choice.

Testifying for the bill were Representative Bud Lewis, Citizens for Better Government, Rural Landowners Association and the Jefferson County Farm Bureau.

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Opponents: No opposition voiced to the committee.

— SB 124, HCA 1 --National Guard Re-enlistment Bonus

Sponsor: Gannon and Gant(16)

Committee Action: Reported from the Federal State
Relations-Veterans Affairs Committee on a 12-0 vote.

- Establishes a \$100 per year bonus for persons re-enlisting in the Missouri National Guard. The bonus is to be paid on a yearly basis and if the enlistment is not completed a proportionate part of the bonus would have to be repaid. (HCA 1 would exempt from this requirement those whose enlistment is terminated for reasons of death or disability.) The act automatically terminates if the military draft is re-instated. An attached fiscal note estimates that the enlistment bonus would induce 75% of the 5,058 enlisted personnel to extend or re-enlist, with an enlistment bonus of \$284,553 in FY 1977-78 and \$379,400 in FY 1978-79.

Proponents: Supporters say the legislation is needed to retain experienced members of the National Guard.

— Testifying for the bill were the Missouri National Guard, Missouri Air National Guard, Office of the Adjutant General, and Representative Usher.

Opponents: No opposition voiced to the committee.

HCS for SB 90 -- Prohibits Government Purchases of Beef
from Outside the United States

Sponsor: Tinnin and Gant (16th)

Committee Action: Reported from the Agriculture Committee
on a 22-1 vote.

This bill would make it unlawful for any person to knowingly purchase, authorize or requisition the purchase of beef other than beef raised and produced within the United States or any of its territories when such purchase is to be paid for by the state or any political subdivision thereof out of public funds. Violation of this section of the bill would be a misdemeanor. The bill would also make it unlawful for any person or entity to knowingly misrepresent the origin of beef in order to cause that beef to be purchased. Any person who violates this section of the bill would be liable for the recovery of funds paid out in violation plus any additional cost, expenses, and attorney fees reasonably expended to secure said recovery.

Proponents: Supporters say this bill is needed to protect and boost the cattle industry in the state. Supporters say the farmers need every help available to survive in the cattle industry since costs have increased while prices have decreased over the last five years. They say that it is unfair for American cattle producers to be required to operate under strict meat inspections and FDA regulations if foreign beef producers are not.

Testifying for the bill were the Missouri Department of Agriculture, National Farmers' Organization, Missouri Farm Bureau, Midcontinent Farmers Association, Missouri Cattlemen's Association, Association of Missouri Beef Producers and Missouri Association of Meat Processors.

Opponents: No opposition voiced to the committee.

HCS for SB 97 -- Ballot Titles for Constitutional
Amendment

Sponsor: Webster

Committee Action: Reported from the Elections Committee
on a 6-0 vote, with one member voting present.

Provides when the General Assembly proposes a constitutional amendment or one is proposed by initiative petition the amendment must be numbered by the Secretary of State in the order in which they are passed or filed. The official ballot titles will be prepared by the Committee on Legislative research, rather than the Secretary of State, on constitutional amendments proposed by the General Assembly and by the Attorney General on initiative or referendum petitions. This bill would also require the ballot title on all proposed constitution amendments to include a fiscal note prepared by the Committee on Fiscal Affairs. This bill could require that persons dissatisfied with a ballot title could file suit in circuit court.

Proponents: Supporters say the voters should be informed of the fiscal consequences of an amendment through attachment of a fiscal note on the ballot. Supporters also argue the bill simplifies the voting procedure.

Opponents: No opposition voiced to the committee.

— SB 46 -- Adjusted Gross Income - Income Tax

Sponsor: Frappier

Committee Action: Reported from the Revenue and Economics
Committee on a 13-0 vote.

— This allows the Missouri taxpayer to exclude from the
adjusted gross income the amount of any Missouri income
tax refund, if the refund was included in their adjusted
income.

Proponents: Supporters say this would keep the taxpayer
from being taxed twice on the same monies.

Testifying for the bill were Senator Frappier and
the Department of Revenue.

Opponents: No opposition voiced to the committee.

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SB 129 -- Deductions for Tuition

Sponsor: Schneider

Committee Action: Reported from the Revenue and Economics
Committee on a 10-2 vote, with one member voting present.

(Allows the taxpayer to take a deduction on his state
income tax for all tuition paid during the year. Not
more than \$500.00 will be allowed to be deducted.

Proponents: This would benefit students and parents of
students, who attend private schools. They argue
that if the state gives businesses a deduction for
machines then it surely can give parents a deduction
for education.

Testifying for the bill was Senator Schneider

Opponents: No opposition voiced to the committee.

SB 419 -- Committee on Legislative Research

Sponsor: Cox, Merrell

Committee Action: Reported from the Governmental
Review Committee on a 7-0 vote.

This bill would transfer responsibility for all rooms, offices and equipment of the Senate and House to the respective Accounts Committees. The bill would also remove the two-year limit on employment of the director of the Committee on Legislative Research, and would give the Director specific authority to hire attorneys for the staff.

Proponents: Supporters say the bill would bring the statutes in line with present practice.

Opponents: No opposition voiced to the committee.

— SB 73 , HCA 1 -- Museum Tax, City of Kansas City

Sponsor: Gant

Committee Action: Reported from the Governmental
Organizations Committee on a 10-0 vote.

- Senate Bill 73 would provide for an increase of seven cents (from two to nine cents) per \$100 assessed valuation for museum purposes in the City of Kansas City. House Committee Amendment No. 1 provides that the increase in levy would be submitted to a vote of the people and that the proceeds of the tax could be used only for museum facilities in existence on October 13, 1977. The word "museum" would not include an art gallery. Admissions to municipal museums would be free to residents of Kansas City.

Proponents: Supporters say the purpose of Senate Bill 73 is to provide operating and maintenance funds for a science museum at the site of the present Union Station in Kansas City. Money is available to purchase the site and to transform it into a museum. A museum at Union Station would permit the city to preserve the building and it would provide an attraction for tourists and other visitors to the city.

— Testifying for the bill were the Kansas City Museum and the City of Kansas City.

Opponents: No opposition voiced to the committee.

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SB 357 -- Registration of Bonds with State Auditor

Sponsor: Snowden

Committee Action: Reported from the Governmental Review
Committee on a 7-0 vote.

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This bill would allow the State Auditor to stamp bonds rather than signing them manually as is now done.

Proponents: Supporters say that the bill would save the state time (approximately 100 hours a year) if the State Auditor were allowed to stamp bonds.

Testifying for the bill was Jim Antonio, Deputy Auditor.

Opponents: No opposition voiced to the committee.

— SB 198 -- Dissolution of Special Purpose Districts

Sponsor: Cox

Committee Action: Reported from the Local Government
and Related Matters Committee on a 8-0 vote.

— This bill would provide a procedure for the dissolution of special purpose districts that are formed pursuant to statute and with approval of the voters. A proposition would be submitted to the voters by petition signed by eight percent of the voters in the district, or by the governing body of the district. Majority approval would be required for dissolution.

Proponents: Supporters say there is presently no way to dissolve districts that are no longer needed or wanted. Approval of the bill would help streamline local bureaucracies.

Testifying for the bill was Senator Hardin Cox.

— Opponents: No opposition voiced to the committee.

— SCS SB 326, HCA 1 -- Farming - Corporations

Sponsor: Wilson

Committee Action: Reported from the Agriculture
Committee on a 28-0 vote.

- This bill would permit a bank or trust company to act as executor, administrator, or trustee under terms of a will or trust without running afoul of the limiting of farming operations held by corporations.

Proponents: Supporters say that the bill is needed to clean up the present Farm Corporation law, to allow a bank or trust company to act as executor, administrator, or trustee under terms of a will or trust where agricultural interests are concerned. Supporters say that this bill would not provide for a "loophole" to allow large banks or corporations to buy up large amounts of farm land.

— Testifying for the bill were the Missouri Bankers Association, Central Trust Bank of Jefferson City, Mid-Continent Farmers Association, Missouri Farm Bureau, National Farmer's Organization and the Missouri Catholic Conference.

Opponents: No opposition voiced to the committee.

— SB 194 -- Division of Water Patrol

Sponsor: Melton

Committee Action: Reported from the Governmental
Organizations Committee on a 9-0 vote.

— Senate Bill 194 would give patrolmen appointed to the
— State Water Patrol all the powers of a peace officer to
enforce all the laws of the state on the following:

1. all waterways of the state
2. all federal and state land adjoining the waterways
of the state and land within 300 feet of such land.
(The federal government, for example, now owns 300
feet of shoreline around such impoundments as Table
Rock. This provision would give the water patrol
jurisdiction up to 600 feet from the shoreline of
these impoundments.)
3. All land adjoining and within 600 feet of any water
impounded with a shoreline in excess of four miles
and not covered under (2) above;
- 4. all land adjoining and within 600 feet of the Missouri,
— Mississippi, Grand, and Osage Rivers and rivers flow-
into those streams for a distance of five miles from
the mouth.

Proponents: Supporters say the water patrol does not
now have the power of arrest if they see a crime
committed in their presence on the shoreline of a
river or lake. They also cannot make an arrest if
such a crime is reported to them. They must call
local law enforcement officers and frequently sus-
pects are gone from the scene when local law enforce-
ment officers arrive. Sheriffs would welcome the
additional assistance.

Testifying for the bill were Colonel Reynolds, Boat
Commissioners, Missouri Division of Water Safety; and
the Missouri Sheriffs Association.

— Opponents: No opposition voiced to the committee.

SB 111 -- Payments for School Districts

Sponsor: Bradshaw

Committee Action: Reported from the Education Committee
on a 14-1 vote, with one member voting present.

The bill changes the method for disbursement of school district moneys from warrants to checks. Such checks must be signed by the president and the treasurer of the board of education.

Proponents: Supporters say that there is no longer a need for the guarantees provided by the warrant procedure.

Testifying for the bill was the State Department of Education.

Opponents: No opposition voiced to the committee.

SCS for SB 114, HCA 1,2 -- Money Orders

Sponsor: Bradshaw

Committee Action: Reported from the Consumer Protection Committee on a 17-0 vote.

The bill requires any money order company to obtain a license from the director of the Division of Finance, to have a new worth of at least \$100,000, and to maintain on file a corporate surety bond in an amount equal to the largest gross amount of money orders sold in a month during the preceding year (HCA 1). Except that the minimum amount of the bond shall be \$50,000 and the maximum amount \$500,000 (HCA 1). Certain stocks, bonds, etc. may be deposited with the director or an approved bank in lieu of the bond. The bill does not apply to depository institutions.

Proponents: Supporters say that at present anyone can issue money orders. There have been numerous cases of money orders not covered by sufficient funds. This bill is needed to protect people who rely on money orders, generally the poor and the elderly.
Testifying for the bill were the Travelers Express Co., Missouri Bankers Association and the Consumers Money Order Co.

Opponents: An owner of an independent grocery store testified that the bill discriminated against small business which do money order business by requiring them to have the same bonding as a large company which issues millions of dollars of money orders a month. HCA 1 was adopted to meet this objection to the bill.

SB 147, HCA 1 -- Survival of Tort Actions

Sponsor: Bild

Committee Action: Reported from the Judiciary
Committee on a 9-0 vote.

This bill would eliminate the requirement that an executor or administrator of an estate must defend surviving tort actions even when the deceased tortfeasor leaves no assets subject to probate and is insured. When this is the case, a defendant ad litem is appointed to act as the named party defendant in circuit court or magistrate court.

Proponents: Supporters say this will streamline the probate of estates, and lower probate costs by allowing these actions to be brought in circuit court, instead of probate court.

Testifying for the bill was the Probate judge of Cole County.

Opponents: No opposition voiced to the committee.

^ HCS SB 367 -- Refund of Automobile Sales Tax

^ Synopsis to be provided in next edition

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^ Ernie Clark, Research Analyst

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SB 139 -- Director of the Division of Corrections

Sponsor: Schneider

Committee Action: Reported from the Governmental
Review Committee on a 7-0 vote.

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This bill would allow the director of the Department
of Social Services to name and set the salary of the
Director of the Division of Corrections.

Proponents: Supporters say the bill would take the
Director of the Division of Corrections out of
the realm of politics.

Opponents: No opposition voiced to the committee

SB 41 -- Transportation Sales Tax Expiration Date

Sponsor: Wiggins, Gant

Committee Action: Reported from the Motor Vehicle
and Traffic Regulations Committee on a 6-0 vote.

Would repeal the sections which provide that the
transportation sales tax for both Kansas City and
St. Louis, expire on December 31, 1977. The new
expiration date would be December 31, 1979.

Proponents: Supporters say the bill is needed to
enable the cities to continue receiving federal
funding for mass transportation.

Testifying for the bill were Senator Wiggins,
Kansas City Councilman Leon Brownfield and the
BiState Development Corporation.

Opponents: No opposition voiced to the committee.

Ernie Clark, Research Analyst

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* This addition contains amended or corrected material.
Please take note of correction and destroy the original
page or pages.

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

SB 73, HCA 1 -- Museum Tax, City of Kansas City

Sponsor: Gant

Committee Action: Reported from the Governmental
Organizations Committee on a 10-0 vote.

Provides for an increase of seven-cents (from two to nine cents) per \$100 assessed valuation for museum purposes in the City of Kansas City. HCA 1 provides that the increase in levy would be submitted to a vote of the people. The word "museum" would not include art galleries. Admission to municipal museums would be free for residents of Kansas City.

Revenue from nine-cent levy would be distributed as follows:

1. Seven-cents for operation and maintenance of the science museum;
2. Two-cents for the operation of the history museum, which is already in existence.

Proponents: Supporters say the purpose of Senate Bill 73 is to provide operating and maintenance funds for a science museum at the site of the present Union Station. Money is available to purchase the site and to transform it into a museum. A museum at Union Station would preserve the building, and it would provide an attraction for tourists and other visitors to the city.

Testifying for the bill were the Kansas City Museum and the City of Kansas City, as well as a Kansas City taxpayer.

Opponents: No opposition voiced to the committee.

HCS SB 367 -- Motor Vehicle Tax Refund

Sponsor: Murray

Committee Action: Reported from the Revenue and
Economics Committee on a 14-0 vote.

Provides that when the buyer of a motor vehicle decides to return the vehicle to the dealer, within 60 days of purchase, the buyer obtain a refund of the sales tax paid.

Proponents: Supporters say refund of the sales tax is only fair to the individual who returns the motor vehicle. They maintain the buyer should not have to pay a sales tax on merchandise that is returned.

Testifying for the bill was Representative Bud Barnes.

Opponents: No opposition voiced to the committee.

SB 60, HCA 1 through 21 -- Criminal Code Revision

Sponsor: Murray, Dinger, Snowden, Bild, Jones, Gant(16),
Caskey, Wiggins, Welliver, Webster, Bradshaw
Committee Action: Reported from the Judiciary Committee
on a 12-0 vote.

This 328 page bill is a comprehensive recodification of Missouri's criminal statutes. The intent of the bill is not to make any changes in the substantive law, but to revise, modernize and consolidate all of the state's criminal statutes. The new code of laws would reduce the criminal sections by more than 200. A system of classification of crimes has also been adopted to reduce the number of different penalties and avoid the possibility of inconsistent penalties. This bill does not touch upon homicide or weapon laws. An important element of the code is that it is built in separate sections and, except for the provisions on classification of crimes and mental state, individual and specific crimes and their treatment is optional. Any of these latter sections may be omitted, changed, added to, or otherwise modified without affecting the integrity of the code as a whole.

Note: See attached outline on SB 60 for further information

Proponents: Supporters say Missouri's criminal statutes, which have not been revised on a comprehensive basis since 1835, need modernization. Antiquated statutes need to be repealed; other statutes need to be revised and reorganized in a manner which will finally render them comprehensible.

Testifying for the bill were St. Louis Board of Police Commissioners, St. Louis Police Department, Chief James P. Damos-Vice President of International Association of Chiefs of Police (Chief of Police of University City), Womans Crusade Against Crime, Sgt. Bland-St. Louis County Police, Missouri Bar Association, Professor Edward Hunvald-Professor of Criminal Law and Procedure, and Evidence- University of Missouri.

Opponents: No opposition voiced to the committee.

HCS SB 122, 289 -- County Officials Salaries

Sponsor: Gannon, Webster

Committee Action: Reported from the Fees, Salaries
and Retirement Committee on a 13-0 vote, with one
member voting present.

This bill would raise the compensation for various second class county officials. The county collectors' salary would go up from \$13,500 to \$16,500. County auditors would receive additional compensation, depending upon county population and assessed valuation. County sheriffs would receive a net raise of \$3,000. No additional duties would be required.

Proponents: Supporters say all these officials deserve a pay raise. County auditors have been without a pay adjustment longer than any other official. Testifying for the bill were Second Class County Collectors, and the Missouri Sheriff's Association.

Opponents: No opposition voiced to the committee.

SB 416, HCA 1 -- Interest on Notes - Bi-State Agency

Sponsor: Scott, et al

Committee Action: Reported from the Local Government
and Related Matters Committee on a 9-0 vote.

This bill will raise to eight percent from six percent the maximum rate of interest that Bi-State Development Agency bonds, notes, and other instruments can bear.

Proponents: Supporters say that presently, these bonds at six percent do not appeal to the public when other bonds are paying a higher rate of interest. Testifying for the bill was Senator Scott.

Opponents: No opposition voiced to the committee.

SB 314, HCA 1 -- Borrowing Funds for Counties

Sponsor: Manford

Committee Action: Reported from the Local Government
and Related Matters Committee on a 9-0 vote.

This bill would provide that the governing body of any first class county, and not just those without a charter form of government, could borrow money in anticipation of the collection of taxes and revenues. However, money could only be borrowed after anticipated revenues for the year have been estimated and the total principal of the notes issued could not exceed 95 percent of the total anticipated revenue for the year. Notes could not be issued at all if there is sufficient general revenue on hand to pay the county's general operating expenses.

Proponents: Supporters say this will bring those counties with a charter form of government in line with counties that do not have a charter form of government.

Testifying for the bill were Senator Manford; Jackson County Counselor's Office and Jackson County Director of Revenue.

Opponents: No opposition voiced to the committee.

— SB 120, HCA 1,2,3,4 -- Magistrate Court Employees
Compensation

Sponsor: Gannon

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 12-0 vote, with two members voting present.

— This bill raises the maximum total amount that may be paid by the state in any year for clerks, deputy clerks and employees of the magistrate courts in the different counties. Most will be raised \$2,500.

Proponents: Supporters say the bill will create more efficient magistrate offices by giving the magistrates a choice as to how to improve these offices. The maximum needs to be raised because of the heavier workload and backlog the magistrate courts face because of increased traffic ticket flow.

Opponents: No opposition voiced to the committee.

SB 330, HCA 1 -- Commodity Merchandising Councils-
Establishment

Sponsor: Tinnin

Committee Action: Reported from the Agriculture Committee
on 21-3 vote, with one member voting present.

This bill would change the present law to require that, in order to establish a commodity merchandising council, a petition would have to be approved by a majority of the voters in favor of adoption, and if those producers voting in favor of adoption represent a majority of the production of all registered producers. Present law requires that the affirmative vote for adoption of the petition shall be no less than fifty-one percent of the number of registered producers and no less than fifty-one percent of the commercial production of all registered producers. This bill also makes changes regarding publication of notice of the filing of a petition for establishment of a council.

Proponents: Supporters say that changes in the present law are needed to allow the soybean producers to establish a commodity merchandising council. Supporters say that the commodity merchandising council would provide benefits to all soybean producers. They argue that under the stiff requirements of the present law they cannot get a soybean referendum passed despite the support of a majority of those who vote in the referendums. Supporters say that revenue collected from check-off if the Commodity Merchandising Council is formed would be used for Research and promotion of soybeans.

Testifying for the bill were the President of the Missouri Soybean Association; Joe Pepper, past President of the Missouri Soybean Association; the Missouri Farm Bureau; Agriculture Industries Council; and also several soybean producers in favor attended the hearing.

Opponents: Those who oppose the bill say that the present law protects the majority of producers who do not want a commodity merchandising council for soybeans. That if soybean producers really wanted the commodity merchandising council they would have voted for it and not have voted it down in the three previous referendum attempts. Opponents say that they are not against research or promotion of soybean products but think that the research money should be made through line budgeting of the University of Missouri, School of Agriculture.

Testifying against the bill were the National Farmers' Organization and Joe Sewell, a soybean producer from Macon County and NFO member. There were also other soybean producers against the bill in attendance of the committee hearing.

SCS SB 458 -- State Cancer Hospital Payments to Doctors

Sponsor: Welliver

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 11-0 vote, with two members voting present.

This bill would repeal a section of the law which says that hospital officers, doctors, nurses, and other employees may not receive compensation other than the compensation provided for by the cancer commission of the state of Missouri.

Proponents: Supporters say that Medicaid and other third party carriers have refused to make payments on the grounds that to do so is contrary to the mentioned unrepealed statute.

Opponents: No opposition voiced to the committee.

SB 389, HCA 1 -- Forest Research Council

Sponsor: Merrell

Committee Action: Reported from the State Parks,
Recreation and Natural Resources Committee on
a 12-2 vote.

This bill would reacte a Missouri Forest Research Council, under the jurisdiction of a five-member board of commissioners. The board would have the following powers and duties:

- 1) Investigate ways of carrying out forestry and forest industry development and operation research;
- 2) Publicize the results of such research or any other research connected with forestry;
- 3) See that there is no unnecessary duplication or research by state agencies;
- 4) Formalize for approval by the curators of the University of Missouri contracts for research in the forestry area.

The board would be able to employ an executive director and assistants necessary to fulfull its duties.

Proponents: Supporters say because of the small size of the forest industry, it is difficult to do adequate research without assistance.

Testifying for the bill were the Missouri Forest Products Association, Conservation Commission, and the Conservation Federation.

Opponents: No opposition voiced to the committee.

HCS SB 151 -- Motorcraft Noise Levels

Sponsor: Ryan

Committee Action: Reported from the State Parks,
Recreation and Natural Resources Committee on a
13-0 vote.

This bill would make it unlawful to operate a recreational motorboat in Missouri if it emits a sound exceeding 86 decibels when measured 50 feet or more away from the boat. The restriction would not apply to racing boats during a race or during trials 24 hours immediately preceding a regatta or race. Present law requires only that the noise be muffled "in a reasonable manner." Racing boats are excluded from the requirement for 48 hours before the race and during the race.

Proponents: Supporters say that there is no way to stop noisy "drag" boats from waking up lakeshore dwellers during early morning hours under the present law.
Testifying for the bill was the United States Coast Guard.

Opponents: No opposition voiced to the committee.

SB 420, HCA 1,2 -- Relating to Business and Financial
Institutions.

Sponsor: Welliver, Webster

Committee Action: Reported from the Banks and Financial
Institutions Committee on a 19-0 vote.

SB 420 makes several revisions in chapters 361 and 362, RSMo, to modernize Missouri banking laws and to equalize the regulations governing state and national banks in Missouri. To accomplish this equalization, the Commissioner of Finance may use information contained in examination reports of the Federal Deposit Insurance Corporation (FDIC) of the Federal Reserve or in audits performed by certified public accountants, as part of his required examination of banks. Additionally, the Commissioner may appoint the FDIC as "Liquidating Agent" for any bank that the Commissioner has had to take over. The bill further provides that "pure trust companies" must obtain the approval of the Commissioner and the banking board before entering into a general commercial banking business. Some changes are made in the basic powers of state banks and trust companies, and the definition of "capital" is changed to include undivided profits as was done for national bank loan limits several years ago by the Comptroller. SB 420 also changes the restriction requiring at least 3/4 of the directors of a state bank or trust company to be residents of the State of Missouri or to live within 50 miles of the bank, to require that at least a majority of the directors be residents of the state or live within 100 miles of the bank. The stock ownership provision for directors is amended to require only that the directors own stock in the bank. This bill additionally provides that each board of directors could determine the minimum size loan to be submitted for board review, instead of the current \$1,000 amount, except that the minimum size loan could not be more than \$10,000. Under this bill, the Commissioner would be authorized to incorporate safe deposit companies which are wholly-owned subsidiaries of bank or trust companies. The final Senate proposal would remove the requirement for the posting of \$200,000 worth of securities with the Commissioner by any bank exercising a fiduciary power.

HCA 1 precludes any bank or trust company from providing any customer services at places other than bank premises through any system of electronic funds transfer.
HCA 2 would allow banks with the approval of the customer to charge a \$10 service charge for small notes, in lieu of interest.

Proponents: Supporters say this bill would equalize the regulations governing state and national banks. In so doing, Missouri state banks will become more competitive with national banks.

Testifying for the bill were the Missouri Bankers Association, the Missouri Independent Bankers Association, and Mr. William Quigg of the Central Trust Bank of Jefferson City, Missouri.

Opponents: No opposition voiced to the committee.

SB 267 -- Industrial Development Corporations

Sponsot: Manford

Committee Action: Reported from the Governmental
Organizations Committee on a 10-0 vote.

Senate Bill 267 is identical to HB 761, which passed the House early in April. It would permit three or more persons to form industrial development corporations upon approval of the local governing body. Presently, industrial revenue bonds can be issued in Missouri only upon a vote of the people. The bill also provides that property authorized for industrial development under this mechanism would go on the tax rolls, thus insuring revenue for the local governing body.

Proponents: Supporters say there are two problems with the current process requiring a public vote for the issuance of industrial revenue bonds: (1) the length of time it takes for a vote causes industries to go to other states where the process is not so lengthy: (2) the public misunderstands the difference between obligation bonds and revenue bonds. They say this was clearly indicated by the voters' rejection of the constitutional amendment to permit local governing bodies to issue industrial revenue bonds. In addition, supporters say it is costly to hold elections and to educate the public in order to inform them of the advantages of voting for industrial revenue bond proposals. Supporters say the current law prevents Missouri from competing with other states for jobs and industry. States contiguous to Missouri have provisions similar to those contained in SB 267 and HB 761, and this makes it all the more difficult for Missouri to compete in attracting industry.
Testifying for the bill were the City of Kansas City, and the Missouri Jaycees.

Opponents: No opposition voiced to the committee.

SB 426, HCA 1 -- Peremptory Challenges in Criminal Juries

Sponsor: Panethiere

Committee Action: Reported from the Civil and Criminal
Justice Committee on a 13-0 vote.

This bill would make peremptory challenges of jurors
in criminal cases uniform throughout the state.

Proponents: Supporters say all the peremptory challenges
available in the larger cities are unnecessary and
merely take up the time of the court and potential
jurors.

Testifying for the bill was the Court Administrator
for the 16th judicial circuit.

Opponents: No opposition voiced to the committee.

SB 364, HCA 1 -- Probate Commissioner Bill

Sponsor: Manford, Wiggins

Committee Action: Reported from the Civil and Criminal
Justice Committee on a 8-0 vote.

This bill, with HCA 1, provides for the continued appointment of a commissioner of the probate division of the Jackson and St. Louis county circuit courts after the new judicial article takes effect.

In Jackson county the commissioner would be appointed by vote of the Jackson county circuit judges en banc. The commissioner would have the same duties and remuneration as the circuit judge of the probate division. His orders, judgements or decrees would be subject to the probate judge's approval.

In St. Louis county the commissioner would continue to be appointed by the circuit judge of the probate division and receive remuneration as affixed by that judge.

The commissioner in both counties would be eligible for the same pension benefits as a circuit judge.

Proponents: Supporters say the probate commissioners' status is in question under the new judicial article. This bill will preserve the status of the commissioner. Testifying for the bill were Senator Manford, and the Jackson county probate judge.

Opponents: No opposition voiced to the committee.

SB 322 -- Group Insurance Coverage for Alcoholism

Sponsor: Schneider

Committee Action: Reported from the Public Health and Safety Committee on a 8-2 vote.

The bill would require nonprofit service plans and group accident and sickness insurance policies to provide for the hospital treatment of alcoholism. The bill would not apply to individual insurance policies for specific individuals or members of their families.

Proponents: Supporters say alcoholism costs the nation and its industries millions of dollars yearly. If treatment can be provided and if alcoholism can be recognized as a disease, rather than a crime, lives as well as millions of dollars might be saved.

Testifying for the bill were Representative Schlef (who represented the bill for the sponsor); the Bureau of Alcoholism and Drug Abuse; Employees' Assistance Program at Charles E. Still Hospital in Jefferson City, Missouri.

Opponents: No opposition voiced to the committee.

SB 262 -- Sanitation Requirements for Bakeries,
Confectionaries, Hotel and Restaurant Kitchens

Sponsor: Frappier

Committee Action: Reported from the Public Health
and Safety Committee on a 10-0 vote.

The bill would repeal fourteen sections of existing law relating to sanitation requirements for bakeries, confectionaries, hotel and restaurant kitchens and replaces those sections with two requirements:

1. No employer could permit an employee who is afflicted with a communicable disease to work in any capacity which brings that person into contact with food.
2. Any establishment engaged in the manufacture or distribution of food may register with the Division of Health as a manufacturer or distributor of food.

Proponents: Supporters say statutes requiring white-washing of premises, furnishing of cuspidors, etc, are antiquated. The sponsor stated that they should be repealed because they are outdated, and it is costly to continue to print these sections of the statutes if they are no longer necessary.

Testifying for the bill was Senator Frappier.

Opponents: No opposition voiced to the committee.

SB 143 -- Insurance for School Board Members

Sponsor: Bild

Committee Action: Reported from the Education Committee
on a 14-0 vote, with one member voting present.

This bill would allow a school board to vote to use district funds to purchase insurance for school board members. The insurance would cover loss due to negligence of a board member when carrying out the duties of his office.

Proponents: Supporters say that school board members are being sued more often than in the past. Under present law a board cannot purchase liability insurance on its members. Thus a board member, to be insured, must buy his or her own insurance.

Testifying for the bill were Senator Dinger, and the Missouri School Board Association.

Opponents: No opposition voiced to the committee.

SB 325 -- Teacher Retirement

Sponsor: Wilson

Committee Action: Reported from the Education

Committee on a 15-0 vote, with one member voting present.

The bill would permit the executive officer of state colleges and universities (except the University of Missouri and Lincoln University) to certify full-time instructors for purposes of participation in the Public School Retirement System. It also provides that members now in one system who subsequently qualify for membership in another system may elect, within thirty days, to remain in the system in which they are already enrolled.

Proponents: Supporters say that this bill is corrective.

State law requires that a member of the Public School Retirement System be certified as a teacher. Previous to reorganization (1974) certification of teachers in the public junior colleges and state colleges was done by the State Board of Education. Under reorganization the colleges were transferred to the Coordinating Board for Higher Education. This Board has no power to certify teachers. The bill is needed to provide a method for the certification of these college instructors so that they may be members of the retirement system.

Testifying for the bill were the Public School Retirement System of Missouri, and the Missouri Association of Community Junior Colleges.

Opponents: No opposition voiced to the committee.

SB 149 -- Motorists-Temporary Instruction Permits

Sponsor: Ryan

Committee Action: Reported from the Transportation
Committee on a 13-3 vote.

This bill would provide for the issuance of temporary driving instruction permits to persons 15 years and six months of age (present statute states no minimum age), but would require, with the exception of motorcycles, that they drive only when accompanied by a licensed driver 21 years of age or older (presently no such age requirement).

Proponents: Supporters say that at present the law is being broken. The bill is needed so that young people can learn how to drive and pass their driving tests on their 16th birthday. This bill would allow licensed drivers over the age of 21 to legally teach 15½ year olds' how to drive.

Testifying for the bill was Senator Ryan.

Opponents: No opposition voiced to the committee.

SB 431, HCA 1 -- State Fair Admission Fee

Sponsor: Ryan

Committee Action: Reported from the Revenue and
Economics Committee on a 13-0 vote.

This bill would allow the Director of Agriculture to determine the price of admission to the State Fair as long as the price does not exceed \$3.00

Proponents: Supporters say this will help recover monies spent on the operation of the State Fair.

Testifying for the bill were Senator Ryan and Paul Runyan, Director of Agriculture.

Opponents: No opposition voiced to the committee.

SJR 4 -- County Charter Adoption

Sponsor: Welliver

Committee Action: Reported from the Governmental
Organizations Committee on a 10-0 vote.

SJR 4 would permit counties with a population of 80,000 or more at the 1970 census to adopt a charter form of government. This proposed constitutional amendment would apply only to Boone County.

Proponents: Supporters say the people and county officials in Boone County want home rule.

Testifying for the bill was Representative John Rollins

Opponents: No opposition voiced to the committee.

SJR 18 -- General Assembly Reapportionment

Sponsor: Melton

Committee Action: Reported from the Elections
Committee on a 9-0 vote.

This bill would provide for the appointment of a special commission to act in the event the regular reapportionment commissions are unable to agree on reapportionment of House or Senate districts. This special commission would be made up of six appellate court judges, three selected by the state chairman of each major political party. Presently, the task of reapportionment falls to the commissioners of the Supreme Court in the event the regular commission can't reach agreement. This bill also would raise the compensation of members of the commission other than the commission of appellate judges to \$25.00 a day instead of \$15.00.

Proponents: Supporters say the bill will provide an alternative method for reapportionment of legislative districts in the event the legislature can't come to an agreement. The present method is obsolete because commissioners are no longer being appointed to the Supreme Court.

Opponents: No opposition voiced to the committee

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Prepared by House Research Staff
Kenneth J. Rothman, Speaker

SB 94 -- Health Insurance for Judges

Sponsor: Webster, Bradshaw, Manford and Melton

Committee Action: Reported from the Judiciary Committee
on a 11-0 vote.

This bill would include retired judges and commissioners among those who are eligible for benefits under the Missouri state employees' retirement system.

Proponents: Supporters say this will encourage judges to stay on the bench.

Opponents: No opposition voiced to the committee.

SCS SB 115 -- Amendment to Corporation Section

Sponsor: Bradshaw

Committee Action: Reported from the Civil and Criminal Justice Committee on a 7-2 vote, with one member voting present.

Would amend portions of chapter 351 RSMo 1969 relating to general corporations code by allowing a corporation to fix the number of directors by bylaws, but that whenever the number of directors is fixed or changed the corporation must give notice to the Secretary of State within 30 days. New language says that reacquired shares of stock become authorized and unissued shares of the class to which they belong unless reissue of reacquired shares is prohibited by the articles of incorporation. If it is, the class of stock to which the reacquired shares belonged is reduced by that number of shares. The capital the reacquired shares represented is automatically transferred to the other shares of that class. If, in a conversion, the reacquired shares have a capital value greater than the aggregate value of the shares offered in conversion, the corporation may reduce its stated capital by the amount of excess. The bill would also allow the president and secretary of a corporation to be the same person. A new section would allow mergers to take effect without a vote of the stockholders of the surviving corporation provided that:

- (1) the plan of merger does not amend the articles of incorporation of the surviving corporation; and (2) all outstanding or treasury shares prior to the merger remain identical after the merger; and (3) either, no common stock are to be issued or delivered as part of the plan of merger, or, the authorized but unissued or treasury stock to be delivered under the plan of merger does not exceed 20% of the shares of common outstanding immediately prior to the effectiveness of the merger; and (4) if this section is relied upon, the plan of merger shall so state; and (5) each shareholder is notified within 10 days, and (6) each shareholder is given 20 days to demand payment of the value of his shares immediately prior to effectiveness.

Another section would allow mergers of parents and subsidiary corporations without stockholder vote where the parent owns at least 90% of the subsidiary.

Where this section is relied upon, the articles of merger shall state that fact. If the parent does not own all of the outstanding shares of all subsidiaries sought to be merged, the articles of merger must set out all the exchanges involved. If the parent is not to be the survivor then the articles of merger must provide for pro rata exchanges of the parent shares for surviving shares. Also, where the parent is not the survivor, 2/3 of the parent stockholders must vote to approve the merger at a duly called meeting. The surviving corporation must notify all stockholders within 10 days of the merger and the stockholders may, within 20 days, demand payment of the value of his shares immediately prior to the merger.

Proponents: Supporters say most corporations are not huge conglomerates. They argue Missouri should follow the lead of Delaware and some of the more progressive states to make it easier to incorporate in Missouri.

Testifying for the bill were Senator Bradshaw, the Missouri Bar Association, and the corporate law committee of the Missouri Bar.

Opponents: No opposition voiced to the committee.

Sponsor: Wiggins

Committee Action: Reported from the Public Health and Safety Committee on a 11-0 vote, with one member voting present.

This bill would give the blind and visually handicapped the same rights afforded to fully sighted persons in all public places, public accommodations, jobs and housing. Blind persons would be subject only to the conditions and limitations imposed on all other persons. Blind persons would have the right to be accompanied by guide dogs in all public places, public accommodations, jobs and housing. They would be liable for any damage done by a guide dog, but would not be required to pay an extra charge for the dog to be admitted to any facility. The only limitation placed upon blind persons in obtaining jobs would be if it would be shown that their blindness prevented the performance of the work involved. The bill would require the governor to take suitable notice each October 15th of "White Cane Day." Any driver who failed to take precautions when approaching a blind pedestrian with a white cane or a guide dog would be liable in damages for injury caused to the pedestrian. A blind pedestrian not accompanied by a guide dog or using a white cane in any public place, public accommodations, including streets, highways, sidewalks, walkways, etc., would have all the rights and privileges conferred by law upon fully sighted persons.

Proponents: Supporters say blind people have been discriminated against in public places, housing and jobs, even though they are capable of living normal lives in spite of their handicaps. Blind persons with guide dogs have been prohibited from entering many public places, such as restaurants, even though the dogs are well trained and are needed by blind persons in order for them to live normal lives.

Testifying for the bill was Senator Wiggins.

Opponents: No opposition voiced to the committee.

SB 192, HCA 1 -- Personalized License Plates

Sponsor: Payne

Committee Action: Reported from the Motor Vehicle and
Traffic Regulations Committee on a 6-1 vote.

This bill provides for various special personalized license plates to be established and issued by the director of the Department of Revenue, at an additional charge of \$12 for each set of plates. The amendment attached would raise the additional fee charged for plates bearing amateur radio call letters to \$12.

Proponents: Supporters say the additional fees charged for the plates would generate more revenue for the state.

Testifying for the bill was Senator Payne.

Opponents: No opposition voiced to the committee.

SB 274 -- Insurance Placed with Insurance Companies not
Doing Business in Missouri

Sponsor: Melton

Synopsis to be provided next week.

SB 368 -- Increase of Solvency Requirements of Insurers

Sponsor: Wilson, et al

Synopsis to be provided next week.

Ellen Taylor, Research Analyst

pg. 376

SB 245 -- Medical Liability Insurance

Sponsor: Frappier

Synopsis to be provided next week.

Ellen Taylor, Research Analyst

pg. 377

SCS SB 359, HCA 1 -- Sheltered Workshops

Sponsor: Gant

Committee Action: Reported from the Governmental
Organizations Committee on a 11-0 vote.

The bill would correct a problem resulting from an attorney general's opinion which stated that boards of sheltered workshops which were in existence at the time section 205.968 was amended in the 78th General Assembly could not contract with not-for-profit corporations.

Proponents: Supporters say this bill would correct an unintentional provision of the bill passed in the 78th General Assembly. According to the attorney general's opinion, only boards of sheltered workshops formed after the enactment of that statute would be eligible to contract with not-for-profit corporations to provide services to sheltered workshops.

Testifying for the bill were Senator Gant, and representatives of sheltered workshops in Jackson County.

Opponents: No opposition voiced to the committee.

SB 399, HCA -- Workmen's Compensation Benefits

Sponsor: Panethiere, Scott, Murphy

Committee Action: Reported from the Workmen's Compensation Committee on a 8-0 vote.

Repeals section 287.140, RSMo 1969, relating to workmen's compensation and enacts one new section relating to the same subject. Section 287.140 would provide that, "In addition to all other compensation, the employee shall receive and the employer shall provide such medical, surgical and hospital treatment, including nursing, ambulance and medicines, as may reasonably be required after the injury or disability, to cure and relieve from the effects of the injury."...

This section currently provides that the employer must furnish such services as may be required for the first 180 days following the injury or disability, to cure and relieve from the effects of the injury, and thereafter such additional similar treatment as the division or the commission by special order may determine to be necessary.

The new wording of section 287.140 would eliminate the need for the commission to issue a special order to require an employer to provide additional services to an employee following the 180 day period after the injury or disability.

Proponents: Supporters say that this bill is needed to expedite the process of providing additional services to an employee after the 180 day period following an injury or disability.

Testifying for the bill was the American Insurance Association.

Opponents: No opposition voiced to the committee.

HCS for SB 400 -- Relating to Workmen's Compensation

Sponsor: Webster

Committee Action: Reported from the Workmen's Compensation Committee on a 8-0 vote.

The bill repeals sections 287.390, 287.460 and 287.610, RSMo 1969, and sections 287.141, 287.160, 287.170, 287.190, 287.200 and 287.240, RSMo Supp. 1975, relating to workmen's compensation, and enacts in lieu thereof ten new sections relating to the same subject. This bill changes all references to the term "referee" to "administrative law judge", in the three sections from RSMo.1969. Section 287.610 contains three additional revisions. First, the number of administrative law judges is increased from 16 to 18. This section also provides that the Industrial Commission may remand any decision of an administrative law judge for a more complete finding of facts. The final revision in this section states that any of the administrative law judges may be assigned on a temporary basis to the branch offices as necessary to insure the proper administration of this chapter. Although these individuals are currently assigned to branch offices on a temporary basis, there is no specific statutory authority for the division to do so. Summarized below are the final recommendations for increases in benefits for workmen's compensation benefits provided in the seven sections from RSMo Supp. 1975.

BENEFITS	MAXIMUM	
	CURRENT	PROPOSED
Physical Rehabilitation Benefits	\$21	\$ 35
All compensation for Disability	95	115
Temporary Total Disability	95	115
Temporary Partial Disability	95	115
Permanent Partial Disability	80	90
Permanent Total Disability	95	115
Death Benefits for Total Dependents	95	115

Proponents: Supporters say that this bill is needed to handle the large load of workmen's compensation cases in Missouri. Additionally, they say that SB 400 provides statutory authority for the division to process extremely heavy, although temporary, case loads throughout the state.

Testifying for the bill were the Division of Workmen's Compensation and Associated Industries.

Opponents: No opposition voiced to the committee.

— SB 159 -- Public School Retirement

Sponsor: Gant

Committee Action: Reported from the Education Committee
on a 17-1 vote, with three members voting present.

— The bill would extend indefinitely the time at which
an employee in the public school retirement system of
Kansas City may transfer from Plan A (in the system
before October 13, 1961) to Plan B (in the system after
October 13, 1961). In the present statute the latest
date for such a transfer is March 8, 1968.

Proponents: Supporters say that members should be able
to choose Plan B no matter when they entered the
system. The change would affect about two hundred
members of the system.

Testifying for the bill was the Board of Trustees,
Kansas City School Retirement System.

— Opponents: No opposition voiced to the committee.

SB 160 -- Public School Retirement

Sponsor: Gant

Committee Action: Reported from the Education Committee
on a 18-0 vote, with three members voting present.

This bill would change the minimum population for the school district having this retirement system from four to three hundred thousand. It would make restrictions on options that can be selected under the two plans (A and B) and adds a fourth option, available to Plan B members only -- the payment of no death benefits. If a member under Plan B who has not chosen an option dies before his total benefits equal his contributions, the difference will be paid to his beneficiary or estate.

Proponents: Supporters say the population of the Kansas City school district has fallen below 400,000. The option to take higher retirement payments in lieu of a death benefit should be open to members.

Testifying for the bill was the Board of Trustees,
Kansas City Public School Retirement System.

Opponents: No opposition voiced to the committee.

SB 82 -- Distribution of School Moneys

Sponsor: Tinnin

Committee Action: Reported from the Education Committee
on a 17-0 vote, with four members voting present.

Under present law, state aid to schools is distributed to school districts through the county treasurer. This bill would change this to direct distribution to the treasurer of the school district.

Proponents: Supporters say that direct distribution will allow a school district to collect interest on its moneys.
Testifying for the bill was the State Department of Elementary and Secondary Education.

Opponents: No opposition voiced to the committee.

SB 83 -- Distribution of School Moneys

Sponsor: Tinnin

Committee Action: Reported from the Education Committee
on a 17-0 vote, with four members voting present.

This bill would make permanent the wire transfer provision
for the distribution of state aid. The provision will
otherwise expire at the end of 1977.

Proponents: Supporters say that this method of distribu-
ting state aid should continue to be possible.

Testifying for the bill was the State Department of
Elementary and Secondary Education.

Opponents: No opposition voiced to the committee.

SB 197 -- County Highways Commissions Abolition

Sponsor: Melton

Committee Action: Reported from the Transportation
Committee on a 17-0 vote.

This bill would provide a procedure for abolition of alternative county highway commissions. A proposition for abolition of such a county commission could be submitted to voters upon petitions signed by a number of votes equal to five percent of the voters voting in the last gubernatorial election. A majority vote would be required for abolition. If a commission should be abolished, its liabilities would be paid from the county highway fund within 30 days, and its assets would be transferred to the township and special road districts in the county.

Proponents: Supporters say that the bill is needed to allow for a procedure for abolition of alternative county highway commissions. Supporters say that there are five special districts in the state and that some of them have not worked as intended. Supporters simply want the mechanism to do away with such districts.

Opponents: No opposition voiced to the committee.

SS SB 272, HCA 1,2 -- Additional Duties for State Fire
Marshalls

Sponsor: Wilson

Committee Action: Reported from the Judiciary Committee
on a 8-3 vote.

This bill would give the state fire marshall and his
paid investigators the power to arrest in connection
with their investigations of fire related offenses.

Proponents: Supporters say these investigators are
greatly hindered in the performance of their duties
by not having the power to arrest.

Testifying for the bill were Missouri State Fire
Marshall, the Firefighters of Missouri and Fire Chiefs
Association.

Opponents: No opposition voiced to the committee.

SB 105, HCA 1 -- Relating to the Uniform Securities Act

Sponsor: Webster

Committee Action: Reported from the Judiciary Committee
on a 10-0 vote.

This bill will end the requirement that a company must register when offering stock to employees of its own subsidiary. 2) End the requirement of registration when stock is disposed of in a private sale. 3) End the thirty day notice period for sale of shares in a not-for-profit corporation. 4) End the requirement of registration of employee benefit plans when these are covered by federal regulation.

Proponents: Supporters say that this bill will end inflexibility and inequalities in the present securities law which stem from mere technical distinctions.

Testifying for the bill were Secretary of State, James Kirkpatrick; and Marion Thurston, Commission of Securities.

Opponents: No opposition voiced to the committee.

HCS SB 99 -- Offenses against Property

Sponsor: Webster

Committee Action: Reported from the Judiciary Committee
on a 7-1 vote.

This bill includes conduits and equipment for the distribution of water and gas among equipment protected by sections 560.300 and 560.305, which make it a felony (2 years and/or \$500) to tamper with such equipment, and a misdemeanor to knowingly receive the benefit of equipment which diverts electricity, gas, or water.

Proponents: Supporters say this bill is needed to prevent people from stealing water and gas and from damaging equipment and interrupting service.

Testifying for the bill was the Laclede Gas Co.

Opponents: No opposition voiced to the committee.

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Monday, May 23, 1977

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Prepared by House Research Staff
Kenneth J. Rothman, Speaker

SB 94 -- Health Insurance for Judges

Sponsor: Webster, Bradshaw, Manford and Melton

Committee Action: Reported from the Judiciary Committee
on a 11-0 vote.

This bill would include retired judges and commissioners among those who are eligible for benefits under the Missouri state employees' retirement system.

Proponents: Supporters say this will encourage judges to stay on the bench.

Opponents: No opposition voiced to the committee.

SCS SB 115 -- Amendment to Corporation Section

Sponsor: Bradshaw

Committee Action: Reported from the Civil and Criminal Justice Committee on a 7-2 vote, with one member voting present.

Would amend portions of chapter 351 RSMo 1969 relating to general corporations code by allowing a corporation to fix the number of directors by bylaws, but that whenever the number of directors is fixed or changed the corporation must give notice to the Secretary of State within 30 days. New language says that reacquired shares of stock become authorized and unissued shares of the class to which they belong unless reissue of reacquired shares is prohibited by the articles of incorporation. If it is, the class of stock to which the reacquired shares belonged is reduced by that number of shares. The capital the reacquired shares represented is automatically transferred to the other shares of that class. If, in a conversion, the reacquired shares have a capital value greater than the aggregate value of the shares offered in conversion, the corporation may reduce its stated capital by the amount of excess. The bill would also allow the president and secretary of a corporation to be the same person. A new section would allow mergers to take effect without a vote of the stockholders of the surviving corporation provided that:

- (1) the plan of merger does not amend the articles of incorporation of the surviving corporation; and (2) all outstanding or treasury shares prior to the merger remain identical after the merger; and (3) either, no common stock are to be issued or delivered as part of the plan of merger, or, the authorized but unissued or treasury stock to be delivered under the plan of merger does not exceed 20% of the shares of common outstanding immediately prior to the effectiveness of the merger; and (4) if this section is relied upon, the plan of merger shall so state; and
- (5) each shareholder is notified within 10 days, and
- (6) each shareholder is given 20 days to demand payment of the value of his shares immediately prior to effectiveness.

Another section would allow mergers of parents and subsidiary corporations without stockholder vote where the parent owns at least 90% of the subsidiary.

Where this section is relied upon, the articles of merger shall state that fact. If the parent does not own all of the outstanding shares of all subsidiaries sought to be merged, the articles of merger must set out all the exchanges involved. If the parent is not to be the survivor then the articles of merger must provide for pro rata exchanges of the parent shares for surviving shares. Also, where the parent is not the survivor, 2/3 of the parent stockholders must vote to approve the merger at a duly called meeting. The surviving corporation must notify all stockholders within 10 days of the merger and the stockholders may, within 20 days, demand payment of the value of his shares immediately prior to the merger.

Proponents: Supporters say most corporations are not huge conglomerates. They argue Missouri should follow the lead of Delaware and some of the more progressive states to make it easier to incorporate in Missouri. Testifying for the bill were Senator Bradshaw, the Missouri Bar Association, and the corporate law committee of the Missouri Bar.

Opponents: No opposition voiced to the committee.

Sponsor: Wiggins

Committee Action: Reported from the Public Health and Safety Committee on a 11-0 vote, with one member voting present.

This bill would give the blind and visually handicapped the same rights afforded to fully sighted persons in all public places, public accommodations, jobs and housing. Blind persons would be subject only to the conditions and limitations imposed on all other persons. Blind persons would have the right to be accompanied by guide dogs in all public places, public accommodations, jobs and housing. They would be liable for any damage done by a guide dog, but would not be required to pay an extra charge for the dog to be admitted to any facility. The only limitation placed upon blind persons in obtaining jobs would be if it would be shown that their blindness prevented the performance of the work involved. The bill would require the governor to take suitable notice each October 15th of "White Cane Day." Any driver who failed to take precautions when approaching a blind pedestrian with a white cane or a guide dog would be liable in damages for injury caused to the pedestrian. A blind pedestrian not accompanied by a guide dog or using a white cane in any public place, public accommodations, including streets, highways, sidewalks, walkways, etc., would have all the rights and privileges conferred by law upon fully sighted persons.

Proponents: Supporters say blind people have been discriminated against in public places, housing and jobs, even though they are capable of living normal lives in spite of their handicaps. Blind persons with guide dogs have been prohibited from entering many public places, such as restaurants, even though the dogs are well trained and are needed by blind persons in order for them to live normal lives.

Testifying for the bill was Senator Wiggins.

Opponents: No opposition voiced to the committee.

SB 192, HCA 1 -- Personalized License Plates

Sponsor: Payne

Committee Action: Reported from the Motor Vehicle and
Traffic Regulations Committee on a 6-1 vote.

This bill provides for various special personalized license plates to be established and issued by the director of the Department of Revenue, at an additional charge of \$12 for each set of plates. The amendment attached would raise the additional fee charged for plates bearing amateur radio call letters to \$12.

Proponents: Supporters say the additional fees charged for the plates would generate more revenue for the state.

Testifying for the bill was Senator Payne.

Opponents: No opposition voiced to the committee.

SB 274 -- Insurance Placed with Insurance Companies not
Doing Business in Missouri

Sponsor: Melton

Synopsis to be provided next week.

SB 368 -- Increase of Solvency Requirements of Insurers

Sponsor: Wilson, et al

Synopsis to be provided next week.

Ellen Taylor, Research Analyst

pg. 376

SB 245 -- Medical Liability Insurance

Sponsor: Frappier

Synopsis to be provided next week.

Ellen Taylor, Research Analyst

pg. 377

SCS SB 359, HCA 1 -- Sheltered Workshops

Sponsor: Gant

Committee Action: Reported from the Governmental
Organizations Committee on a 11-0 vote.

The bill would correct a problem resulting from an attorney general's opinion which stated that boards of sheltered workshops which were in existence at the time section 205.968 was amended in the 78th General Assembly could not contract with not-for-profit corporations.

Proponents: Supporters say this bill would correct an unintentional provision of the bill passed in the 78th General Assembly. According to the attorney general's opinion, only boards of sheltered workshops formed after the enactment of that statute would be eligible to contract with not-for-profit corporations to provide services to sheltered workshops.

Testifying for the bill were Senator Gant, and representatives of sheltered workshops in Jackson County.

Opponents: No opposition voiced to the committee.

SB 399, HCA -- Workmen's Compensation Benefits

Sponsor: Panethiere, Scott, Murphy

Committee Action: Reported from the Workmen's Compensation Committee on a 8-0 vote.

Repeals section 287.140, RSMo 1969, relating to workmen's compensation and enacts one new section relating to the same subject. Section 287.140 would provide that, "In addition to all other compensation, the employee shall receive and the employer shall provide such medical, surgical and hospital treatment, including nursing, ambulance and medicines, as may reasonably be required after the injury or disability, to cure and relieve from the effects of the injury."...

This section currently provides that the employer must furnish such services as may be required for the first 180 days following the injury or disability, to cure and relieve from the effects of the injury, and thereafter such additional similar treatment as the division or the commission by special order may determine to be necessary. The new wording of section 287.140 would eliminate the need for the commission to issue a special order to require an employer to provide additional services to an employee following the 180 day period after the injury or disability.

Proponents: Supporters say that this bill is needed to expedite the process of providing additional services to an employee after the 180 day period following an injury or disability.

Testifying for the bill was the American Insurance Association.

Opponents: No opposition voiced to the committee.

HCS for SB 400 -- Relating to Workmen's Compensation

Sponsor: Webster

Committee Action: Reported from the Workmen's Compensation
Committee on a 8-0 vote.

The bill repeals sections 287.390, 287.460 and 287.610, RSMo 1969, and sections 287.141, 287.160, 287.170, 287.190, 287.200 and 287.240, RSMo Supp. 1975, relating to workmen's compensation, and enacts in lieu thereof ten new sections relating to the same subject. This bill changes all references to the term "referee" to "administrative law judge", in the three sections from RSMo.1969. Section 287.610 contains three additional revisions. First, the number of administrative law judges is increased from 16 to 18. This section also provides that the Industrial Commission may remand any decision of an administrative law judge for a more complete finding of facts. The final revision in this section states that any of the administrative law judges may be assigned on a temporary basis to the branch offices as necessary to insure the proper administration of this chapter. Although these individuals are currently assigned to branch offices on a temporary basis, there is no specific statutory authority for the division to do so. Summarized below are the final recommendations for increases in benefits for workmen's compensation benefits provided in the seven sections from RSMo Supp. 1975.

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	CURRENT	PROPOSED
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Death Benefits for Total Dependents	95	115

Proponents: Supporters say that this bill is needed to handle the large load of workmen's compensation cases in Missouri. Additionally, they say that SB 400 provides statutory authority for the division to process extremely heavy, although temporary, case loads throughout the state.

Testifying for the bill were the Division of Workmen's Compensation and Associated Industries.

Opponents: No opposition voiced to the committee.

— SB 159 -- Public School Retirement

Sponsor: Gant

Committee Action: Reported from the Education Committee
on a 17-1 vote, with three members voting present.

— The bill would extend indefinitely the time at which an employee in the public school retirement system of Kansas City may transfer from Plan A (in the system before October 13, 1961) to Plan B (in the system after October 13, 1961). In the present statute the latest date for such a transfer is March 8, 1968.

Proponents: Supporters say that members should be able to choose Plan B no matter when they entered the system. The change would affect about two hundred members of the system.

Testifying for the bill was the Board of Trustees, Kansas City School Retirement System.

— Opponents: No opposition voiced to the committee.

SB 160 -- Public School Retirement

Sponsor: Gant

Committee Action: Reported from the Education Committee
on a 18-0 vote, with three members voting present.

This bill would change the minimum population for the school district having this retirement system from four to three hundred thousand. It would make restrictions on options that can be selected under the two plans (A and B) and adds a fourth option, available to Plan B members only -- the payment of no death benefits. If a member under Plan B who has not chosen an option dies before his total benefits equal his contributions, the difference will be paid to his beneficiary or estate.

Proponents: Supporters say the population of the Kansas City school district has fallen below 400,000. The option to take higher retirement payments in lieu of a death benefit should be open to members.

Testifying for the bill was the Board of Trustees, Kansas City Public School Retirement System.

Opponents: No opposition voiced to the committee.

SB 82 -- Distribution of School Moneys

Sponsor: Tinnin

Committee Action: Reported from the Education Committee
on a 17-0 vote, with four members voting present.

Under present law, state aid to schools is distributed to school districts through the county treasurer. This bill would change this to direct distribution to the treasurer of the school district.

Proponents: Supporters say that direct distribution will allow a school district to collect interest on its moneys.
Testifying for the bill was the State Department of Elementary and Secondary Education.

Opponents: No opposition voiced to the committee.

SB 83 -- Distribution of School Moneys

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Committee Action: Reported from the Education Committee
on a 17-0 vote, with four members voting present.

This bill would make permanent the wire transfer provision
for the distribution of state aid. The provision will
otherwise expire at the end of 1977.

Proponents: Supporters say that this method of distribu-
ting state aid should continue to be possible.

Testifying for the bill was the State Department of
Elementary and Secondary Education.

Opponents: No opposition voiced to the committee.

SB 197 -- County Highways Commissions Abolition

Sponsor: Melton

Committee Action: Reported from the Transportation
Committee on a 17-0 vote.

This bill would provide a procedure for abolition of alternative county highway commissions. A proposition for abolition of such a county commission could be submitted to voters upon petitions signed by a number of votes equal to five percent of the voters voting in the last gubernatorial election. A majority vote would be required for abolition. If a commission should be abolished, its liabilities would be paid from the county highway fund within 30 days, and its assets would be transferred to the township and special road districts in the county.

Proponents: Supporters say that the bill is needed to allow for a procedure for abolition of alternative county highway commissions. Supporters say that there are five special districts in the state and that some of them have not worked as intended. Supporters simply want the mechanism to do away with such districts.

Opponents: No opposition voiced to the committee.

SS SB 272, HCA 1,2 -- Additional Duties for State Fire
Marshalls

Sponsor: Wilson

Committee Action: Reported from the Judiciary Committee
on a 8-3 vote.

This bill would give the state fire marshall and his
paid investigators the power to arrest in connection
with their investigations of fire related offenses.

Proponents: Supporters say these investigators are
greatly hindered in the performance of their duties
by not having the power to arrest.

Testifying for the bill were Missouri State Fire
Marshall, the Firefighters of Missouri and Fire Chiefs
Association.

Opponents: No opposition voiced to the committee.

SB 105, HCA 1 -- Relating to the Uniform Securities Act

Sponsor: Webster

Committee Action: Reported from the Judiciary Committee
on a 10-0 vote.

This bill will end the requirement that a company must register when offering stock to employees of its own subsidiary. 2) End the requirement of registration when stock is disposed of in a private sale. 3) End the thirty day notice period for sale of shares in a not-for-profit corporation. 4) End the requirement of registration of employee benefit plans when these are covered by federal regulation.

Proponents: Supporters say that this bill will end inflexibility and inequalities in the present securities law which stem from mere technical distinctions.

Testifying for the bill were Secretary of State, James Kirkpatrick; and Marion Thurston, Commission of Securities.

Opponents: No opposition voiced to the committee.

HCS SB 99 -- Offenses against Property

Sponsor: Webster

Committee Action: Reported from the Judiciary Committee
on a 7-1 vote.

This bill includes conduits and equipment for the distribution of water and gas among equipment protected by sections 560.300 and 560.305, which make it a felony (2 years and/or \$500) to tamper with such equipment, and a misdemeanor to knowingly receive the benefit of equipment which diverts electricity, gas, or water.

Proponents: Supporters say this bill is needed to prevent people from stealing water and gas and from damaging equipment and interrupting service.

Testifying for the bill was the Laclede Gas Co.

Opponents: No opposition voiced to the committee.

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Tuesday, May 31, 1977

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* This addition contains amended or corrected material.
Please take note of correction and destroy the original
page or pages.

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

SB 121 -- Juvenile Officers Compensation

Sponsor: Gannon, et al

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 13-0 vote, with one member voting present.

This bill would provide that the salaries of the juvenile officers of each judicial circuit would be the same, removing the distinction between different class counties. All salaries would be raised \$2,000 over the present first class county levels. Provisions setting salaries of secretaries, stenographers, clerks and typists would be removed from the law. The bill would also raise the amount that the state would contribute toward juvenile officers' salaries to a maximum of \$8,750 a year.

The bill would become effective January 1, 1978. An attached fiscal note shows a decrease in the general revenue fund of \$75,250 for FY 77-78, and \$142,500 for FY 78-79.

Proponents: Supporters say the bill would equalize the pay for juvenile officers.

Testifying for the bill was the St. Louis County Juvenile Court.

Opponents: No opposition voiced to the committee.

SB 120, HCA 1,2,3,4 -- Magistrate Court Employee Salaries

Sponsor: Gannon, et al

Committee Action: Reported from the Revenue and Economics
Committee on a 17-0 vote.

This bill would increase the magistrate courts budget for
hiring employees by \$2,500.

Proponents: Supporters say the employees of the magis-
trate courts are underpaid and deserve an increase.

Testifying for the bill was Senator Gannon.

Opponents: No opposition voiced to the committee.

SCS SB 387, 348 and 297 -- Circuit Breaker

Sponsor: Woods

Committee Action: Reported from the Revenue and Economics
Committee on a 13-0 vote.

This is an improved and simplified Circuit Breaker bill for property tax relief for the elderly. It provides increased benefits at the lowest income levels. All incomes under \$2400 will receive tax credits or cash refunds of the actual property tax paid, or 20% of the net rent (for renters). Those between \$2400 and \$6200 and between \$6200 and \$7500 will receive percentage benefits, credits, or cash refunds.

Proponents: Supporters say this bill is designed to counteract higher housing costs, with the resulting increases in property taxes and rents.

Testifying for the bill was Senator Woods.

Opponents: No opposition voiced to the committee.

SB 368 -- Solvency Requirements for Insurance Companies

Sponsor: Wilson

Committee Action: Reported from the Insurance Committee
on a 8-0 vote.

The bill would generally double the capital requirements for insurance companies licensed to do business in Missouri. The following types of companies would be exempt from the requirements of the bill: farmer, county and town mutual companies and medical malpractice plans. Companies now doing business in the state would have until 1980 to comply.

Proponents: Supporters say since the existing law was passed in 1963, inflation has eroded the capital of insurance companies. The passage of SB 368 would protect the public from financially hazardous enterprises. Increased capital requirements for insurance companies would help to insure that consumers would receive prompt payment from insurance companies. Missouri is now 41st in the nation in capital requirements for insurance companies, and SB 368 would bring Missouri to 24th.

Testifying for the bill was the Division of Insurance.

Opponents: No opposition voiced to the committee.

SCS SB 245 -- General Liability Insurance for Hospitals
and Hospital-owned Ambulances.

Sponsor: Frappier

Committee Action: Reported from the Insurance Committee
on a 5-3 vote.

The bill would make general liability insurance available to hospitals and hospital-owned ambulances in the same manner they obtain medical malpractice insurance. If hospitals obtain their malpractice insurance on an assessment plan, they could also obtain general liability insurance the same way.

Proponents: Supporters say the bill would lower the costs to hospitals of obtaining general liability insurance.

Testifying for the bill were the Missouri Professional Liability Insurance Association, Missouri Hospital Association and the Division of Insurance.

Opponents: No opposition voiced to the committee.

SB 274 -- Surplus Line Insurance and Surplus Line
Insurance Brokers

Sponsor: Melton

Committee Action: Reported from the Insurance Committee
on a 7-4 vote, with one member voting present.

The bill would require the regulation and licensing of surplus line insurance and surplus line insurance brokers. Surplus line insurance is the writing of insurance for unusual or large risks. Approximately 100 surplus line companies are now authorized to do business in Missouri, but are not required to be licensed or regulated by the Division of Insurance.

Proponents: Supporters say the bill is the result of recommendations of a task force which was formed to study the problem of surplus line insurance and provides protection for purchasers of surplus line insurance.

Testifying for the bill were the Division of Insurance; Norman Lampton, attorney for MFA and a member of the task force; Donald Gemming, March and McLenna, St. Louis; and Surplus Lines Brokers Association.

Opponents: No opposition voiced to the committee.

SB 300 -- Redlining

Sponsor: Banks

Committee Action: Reported from the Insurance Committee
on a 10-1 vote.

Senate Bill 300 is the result of the study and work of a joint interim committee and would:

1. Prohibit cancellation in midterm of a homeowners or fire insurance policy.
2. Provide that if a policy were cancelled or not renewed that specific reasons for the cancellation or nonrenewal be given in writing 30 days before the effective date of cancellation. Ten days' notice would be required if the cancellation were for nonpayment. This provision would not apply in the following instances: nonpayment, fraud, conviction of a crime, or physical changes in the property which would result in a hazard.
3. Provide that companies could not refuse to issue, cancel, or not renew a policy based on residence (redlining) race, sex, or occupation. This would not apply in instances where a policy which insures against a hazard is increased because of exposure to loss attributable solely to the place of residence of lawful occupation of anyone who is insured or seeks to be insured. The bill does not apply to insurance companies which are in such poor financial condition that additional risks would be hazardous to their creditors, policyholders, or the general public.

Proponents: Supporters say the practice of "redlining" denies low income citizens the right to protect their property. In addition, the practice of "redlining" has an adverse impact on many urban neighborhoods.

Testifying for the bill were James Sullivan, Director of the Department of Consumer Affairs, Regulation and Licensing, representing the Governor; Division of Insurance; Missouri Farmers Association; John Kelly, Historic Soulard, St. Louis; Henry Brown and Kenneth Hasty, Missouri Association of Community Organizations for Reform Now (ACORN); the City of Kansas City submitted a resolution in support of SB 300.

Opponents: No opposition voiced to the committee.

— SB 344 -- Sales Tax Brackets

Sponsor: Manford, Murray

Committee Action: Reported from the Revenue and Economics
Committee on a 12-1 vote.

- This bill would revise the state and local sales tax brackets to take into account the increase of one-eighth of a cent in the sales tax, which is earmarked for conservation purposes.

Proponents: Supporters say this bill will help to comply with the wishes of the people when they voted for the one-eighth of a cent increase in sales tax for conservation purposes.

Testifying for the bill was Representative Buechner.

Opponents: No opposition voiced to the committee.

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SB 104 -- Sales and Use Tax Exemptions

Sponsor: Webster

Committee Action: Reported from the Revenue and Economics
Committee on a 15-2 vote, with one member voting present.

This bill would exempt from sales and use taxes machinery and equipment used to monitor air and water pollution, as well as materials and supplies solely required for the installation, construction or reconstruction of such machinery equipment, appliances and devices. Records will be kept by the corporation, person, or firm of this exemption and a report will be made to the director of the joint committee on State Fiscal Affairs.

Proponents: Supporters say similar legislation has been enacted in most other states. This would encourage business to comply with state and federal pollution laws.

Testifying for the bill was Senator Webster.

Opponents: No opposition voiced to the committee.

SB 136, HCA 1, HCA 2 -- Powers of the Public Service
Commission

Sponsor: Schneider

Committee Action: Reported from the Consumer Protection
Committee on a 16-2 vote.

This bill would add to the section on the jurisdiction of the Public Service Commission a subsection which gives the PSC the power to adopt rules governing utility services, including disconnection and billing practices. HCA 1 removes a provision in the Senate bill that would require legislative and gubernatorial approval of all rules within two years of their issuance. HCA 2 changes the "sunset" provision date from 1981 to 1985.

Proponents: Supporters say that the bill is needed to make explicit the authority of the PSC to regulate billing practices. This authority has been challenged in court by utility companies.

Testifying for the bill were the Public Counsel,
Public Service Commission.

Opponents: Those who oppose the bill say that it fails to guarantee due process to the utilities.

SB 252 -- Jackson County Circuit Court

Sponsor: Gant, Wiggins

Committee Action: Reported from the Judiciary Committee
on a 11 to 0 vote.

This bill would add one division to the circuit court of Jackson county (circuit 16), and allocate the divisions as follows: Divisions 1,2,3,4,6,7,8,9,10,11,13, 14,15,18, in Kansas City, and Divisions 5,12,16, and 17 at Independence.

Proponents: Supporters say an additional Judge is needed, and the rearrangement of the divisions would end unnecessary travel.

Opponents: No opposition voiced to the committee.

SB 328, HCA 1 -- Grand Juror Selection

Sponsor: Jones

Committee Action: Reported from the Judiciary Committee
on a 7-3 vote.

This bill would reduce the waiting period for serving on a grand jury from ten years to five years, and prohibit a person from being denied the privilege and duty of serving on a grand jury for reasons of religion, age, color, creed, or national origin.

Proponents: Supporters say the year waiting period is excessive.

Opponents: No opposition voiced to the committee.

SS SB 269, HCA 1,2 -- Minimum School Day

Sponsor: Banks

Committee Action: Reported from the Education Committee on
a 11-6 vote.

The bill would allow a school that dismisses because of inclement weather, or other emergency (HCA 1) to count a four-hour day as a full day and a two-hour day as a half day. HCA 2 would delete from the bill two subsections which provide for making up lost days by extending the school day and for computing school days for purposes of state aid.

Proponents: Supporters say that a standing procedure is needed for handling school dismissals due to weather and other emergencies.

Testifying for the bill were Senators Banks and Cox, and the Missouri State Teachers Association.

Opponents: No opposition voiced to the committee.

SB 349, HCA 1 -- Prison Industries Income

Sponsor: Conway, Woods

Committee Action: Reported from the State Institutions
Committee on a 7-0 vote.

This bill would provide that prison industries and farm operations could retain a balance of \$1,000,000 at the end of the fiscal year in the working capital revolving fund rather than the present 20 percent, could be reserved for future expansion and improvements of prison industries and farm programs. This bill would authorize officials in the industry programs to change or dispose of the present plants and machinery if programs are discontinued and the equipment cannot be used elsewhere.

Proponents: Supporters say the bill is necessary to update accounting procedures used in correctional industry programs. Supporters also said the increased allowable balance for the working capital revolving fund is needed to allow for future expansion and improvements of prison industries and farm programs. Testifying for the bill were the State Auditor's Office and Division of Corrections.

Opponents: No opposition voiced to the committee.

— SB 341 -- Real Estate Conveyance Records

Sponsor: Gannon

Committee Action: Reported from the Local Government and
Related Matters Committee on a 8-0 vote.

— This bill would require the recorder of deeds to furnish
the county assessor, rather than the county collector, with
the legal descriptions of property conveyed and the names
and addresses of the grantees of the property.

Proponents: Supporters say that at the present time the
county collector receives this list instead of the
county assessor. If the county assessor doesn't assess
the property then the county collector has no need
for the list.

Testifying for the bill was Senator Gannon.

Opponents: No opposition voiced to the committee.

SB 303 -- Postmarks and Filing Dates

Sponsor: Gant

Committee Action: Reported from the Local Government and
Related Matters Committee on a 8-0 vote.

If the date for filing a tax return, claim, statement or other document falls on a Saturday, Sunday or legal holiday, the return could be timely filed on the next business day. If sent through the mails the date shown on the postmark or as shown by postal records shall be the date deemed filed or received.

Proponents: Supporters say this bill merely makes statutory what is already standard operating procedure.
Testifying for the bill were Senator Gant (9) and the Union Pacific Corporation.

Opponents: No opposition voiced to the committee.

SB 243 -- Secretary of State - Fees Received

Sponsor: Manford

Committee Action: Reported from the Fees, Salaries
and Retirement Committee on a 12-0 vote, with one
member voting present.

This bill would generally increase the fees charged by
the Secretary of State for services performed by his
office.

Proponents: Supporters say the bill brings the fees
charged in line with the actual costs of the services.

Opponents: No opposition voiced to the committee.

SB 393 -- Political Subdivisions - Employees Retirement

Sponsor: Welliver

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 12-0 vote, with one member voting present.

This bill would make changes in the computation of "final average salary" for purposes of determining benefits paid to retirees under the local government employees' retirement system. The bill would also provide that employees would get credit for time off the job because of total physical or mental incapacitation, if the incapacity results from personal injury or disease arising out of and in the course of the performance of his duties, and if the disabled employee receives periodic payments under a workmen's compensation or similar law. The bill also would limit payments to a surviving spouse who is under 40 at the time of the member's death to a maximum of 120 months' payments.

Proponents: Supporters say the bill is fairer to employees.

Opponents: No opposition voiced to the committee.

SB 248 -- Dues Checkoff

Sponsor: Panethiere

Committee Action: Reported from the Labor Committee on
a 10-0 vote.

This bill would allow the commissioner of administration to provide for a check-off of collective bargaining dues from state employees' pay checks. This would simplify the procedure for the members of such organizations and would eliminate the need for each member to pay their dues separately. The bill further allows the commissioner to provide for a check-off for a contribution to a charitable fund, if the fund is administered in a manner requiring public accountability and public participation in policy decisions.

Proponents: Supporters say that this bill is needed to provide statutory authority for the commissioner of administration to implement a dues check-off or a check-off for charitable purposes from the pay checks of state employees.

Testifying for the bill were the Missouri State Labor Council AFL-CIO and the American Federation of State, County and Municipal Employees (AFSCME).

Opponents: No opposition voiced to the committee.

SB 171, HCA 1 -- Peripheral Zoning by Third Class Counties

Sponsor: Uthlaut

Committee Action: Reported from the Local Government and
Related matters Committee on a 8-0 vote.

This bill provides that when a third class city adopts a two mile belt zoning plan, the city must add a resident of the two mile belt area to the board of adjustment. The county court would also appoint to city zoning commission the number of members required to make membership on the commission proportionately equal to the population in the city and the peripheral area, with the area having no less than one member. If the county then creates a planning and zoning commission of its own, the city's authority would take precedence over that of the county in the two mile zone.

Proponents: Supporters say this bill allows the unincorporated area to be represented and will help decrease problems in planning and zoning.

Testifying for the bill were Senator Uthlaut; Mayor Hyder of Jefferson City, Missouri; Judge Paul Schleer of the Cole County Court; William Quigg of the Central Trust Bank of Jefferson City.

Opponents: No opposition voiced to the committee.

SJR 19 -- Investments by the State Treasurer

Sponsor: Merrell

Committee Action: Reported from the Governmental
Organizations Committee on a 10-0 vote.

SJR 19 would permit the state treasurer to invest idle state funds in interest-bearing accounts with savings and loan associations. In addition, funds could be invested in United States government bonds maturing in two years, rather than one. It would also permit the treasurer to enter into repurchase agreements secured by United States Treasury obligations or federal agency obligations of any maturity. It would also provide that the State Treasurer would serve as the investing agency for any state department, agency or other entity of the state or any political subdivision of the state.

Proponents: Supporters say the bill would give the State Treasurer more latitude in investing state funds and generate more income from investments.
Testifying for the bill were the State Treasurer's office and the Savings and Loan Association.

Opponents: No opposition voiced to the committee.

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SB 162 -- Taxation of Savings and Loan Associations

Sponsor: Gant, Bradshaw, Wiggins

Committee Action: Reported from the Banks and Financial
Institutions Committee on a 16-0 vote.

SB 162 repeals sections 148.470, 148.510 and 148.530, RSMo 1969, and sections 148.480, 148.490, 148.500 and 148.520, RSMo Supp. 1975, relating to the taxation of savings and loan associations and enacts in lieu thereof ten new sections relating to the same subject, with an effective date for this act and a termination date for certain provisions of this act. The main thrust of this bill is to require savings and loan associations to pay a franchise tax equal to 7% of their net income, rather than the present 2% tax on dividends. The bill further provides the necessary definitions and procedures to implement the new act. Although the state would collect the franchise tax, the political subdivisions in which the associations are located would continue to receive the tax funds. The effective date of this act is January 1, 1978. Section B of this bill establishes a transition process for taxpayers to follow for taxable years 1978 and 1979. However, for taxable years 1980 and each taxable year thereafter, the taxpayer shall pay a tax in accordance with the provisions of this act.

Proponents: Supporters say that this bill is needed to eliminate the inequities in taxation which exist between banks and savings and loan associations in Missouri.

Testifying for the bill was the Missouri Savings and Loan Association.

Opponents: Those who oppose the bill say that they do not oppose the intent of the bill; however, they do oppose the loss of funds that will be felt by the political subdivisions.

Testifying against the bill was the Missouri Municipal League.

HCS SCS SB 24 -- The Public Counsel

Sponsor: Wiggins

Committee Action: Reported from the Consumer Protection Committee on a 9-6 vote.

The committee has attached the House perfected version of the public counsel bill (HCS HBs 42 and 157), with one change, to SCS SB 24, a bill which would assure the public counsel access to all information furnished to the Public Service Commission. The one change from the House perfected version is that a provision for funding the public counsel is included (Section 386.370).

Proponents: Supporters say that the public counsel needs to be given strong powers to represent the public in utility rate cases and other matters before the PSC. Testifying for the bill was Senator Wiggins.

Opponents: No opposition voiced to the committee.

SB 220, HCA 1 -- Notaries Public

Sponsor: Dinger

Committee Action: Reported from the Judiciary Committee
on a 8-0 vote.

This bill is a revision of those chapters dealing
with notaries public.

Section 1. Definitions.

Sections 2 through 11. Qualifications and commissioning.

Section 12. Powers.

Section 13. Disqualifying interests.

Sections 14, 15, 16, 17, Journal of notarial acts.

Sections 18, 19, 10, and 21. Notorization.

Sections 22 through 28. Disqualifications.

Sections 29 through 32. Forms.

Section 33. Fees.

Sections 34 through 42. Liabilities and penalties.

Section 43. Fees payable to the state.

Section 44. Grandfather clause.

Section 45. Effective date.

Proponents: Supporters say the present laws on notaries
public do nothing to prevent frauds, thus the notary
laws do not accomplish their intended function.

Testifying for the bill were James Kirkpatrick,
Secretary of State; and Associated Students of the
University of Missouri.

Opponents: No opposition voiced to the committee.

SB 52 -- Repeal of Booming and Rafting Statute

Sponsor: Frappier

Committee Action: Reported from the Judiciary Committee
on an 8-0 vote.

This bill would repeal the booming and rafting corporation laws, which deal with transportation of logs by water.

Proponents: Supporters say nobody knows what a booming and rafting company is anymore, but if somebody wanted to start one, they could incorporate under general corporation laws. They argue the booming and rafting laws are archaic because logs are no longer transported by water.

Opponents: No opposition voiced to the committee.

HCS SB 275 -- Mental Health Law Revision

Sponsor: Welliver (original) O'Toole (HCS)

Committee Action: Reported from the Judiciary
Committee on a 5-3 vote.

- 202.010. Definitions.
- 202.110. Prohibits involuntary commitment unless the subject is likely to injure himself or others.
- 202.115. Defines who must be admitted by public mental health facilities.
- 202.117. Defines who must be admitted by public mental retardation facilities.
- 202.120. Requires review of a patient's condition every 180 days.
- 202.123. Requires review of a mental retardant's condition to be reviewed every 180 days.
- 202.129. Procedure for temporary confinement.
- 202.130. Duty of mental health professional to inform when involuntary commitment is not appropriate.
- 202.135. Duty of facility receiving person to require a petition.
- 202.137. Duty of facility to inform court of the date and time of initial detention.
- 202.139. Initial detention not to exceed 72 hours.
- 202.143. Facility to provide transportation for person not approved for initial detention.
- 202.145. Duty of facility to inform the family of the person detained of right to hearing, counsel, to present evidence, and to refuse medication before the hearing.
- 202.147. Right to be examined within 24 hours of detention, to receive treatment, to refuse treatment before the hearing, to be released after 72 hours unless court orders otherwise.
- 202.149. Procedure for commitment for an additional 14 days.
- 202.150. Same.
- 202.153. Procedure for commitment for an additional 90 days.
- 202.155. Same.
- 202.157. Same.
- 202.160. Procedure for commitment for an additional one year.

202.163. Same.
202.167. Duty of facility to evaluate patients condition every 180 days.
202.170. Venue.
202.175. Religious exemption for treatment.
202.173. Duty of prosecuting attorney to represent petitioner.
202.177. No rights forfeited as a result of commitment.
202.179. Right to humane care and treatment.
202.180. Rights while in facility.
202.183. Right to refuse psychosurgery.
202.185. Procedure for release to a less restrictive environment.
202.187. Waiver of physician-patient privilege.
202.189. Duty of facility to release a patient who no longer requires detention.
202.190. Release from liability of certain persons for acts performed under this act.
202.193. Same.
202.195. Confidentiality of reports.
202.197. Release of information, and notification of next of kin.
202.199. Unauthorized disappearance.
202.200. Appointment of counsel.
202.203. Appointment of physicians.
202.206. Retroactivity.
202.205. Appeals.
202.207. Placement in boarding homes, nursing homes, etc.
202.208. Same.
Section A. Effective date, and emergency clause.

Proponents: Supporters say Missouri's present involuntary commitment statutes are unconstitutional.
Testifying for the bill were Steve Viley, Legislative Assistant to Governor Teasdale; Dr. Hensley; Thomas Downey, Attorney-Higginsville State School and Hospital Parents Association; John Barrett-Higginsville Parents Association; Ramon J. Morgenstern- St. Louis Metropolitan Council on Developmental Disabilities; Vernon Debo, parent of mentally retarded child; and seven other private citizens.

Opponents: Those who oppose the bill say that SB 275 does not deal with practical problems and does not go far enough to protect patients.
Testifying against the bill was Mary McC'ellan; Chairperson of the Mental Health Committee of the Metropolitan St. Louis Bar, Young Lawyers Section.

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RULES COMMITTEE CALENDAR

SB 60, HCA 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,
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* This addition contains amended or corrected material.
Please take note of correction and destroy the original
page or pages.

Prepared by House Research Staff
Kenneth J. Rothman, Speaker

SS SB 185, HCA 1 -- Nursing Home Inspections

Sponsor: Banks

Committee Action: Reported from the Revenue and
Economics Committee on a 12-2 vote.

This bill requires the Division of Health to make at least four inspections a year of all licensed nursing, convalescent, and boarding homes to check for statutory violations.

Proponents: Supporters say Nursing homes that do not receive medicaid or medicare are not usually inspected. They should be inspected in order to help those citizens that utilize this type of facility.
Testifying for the bill was Senator Banks.

Opponents: No opposition voiced to the committee.

HCS SB 277, HCA 1 -- Assessment-Compensation and Reassessment

Sponsor: Snowden

Committee Action: Reported from the Fees, Salaries and Retirement Committee on a 9-2 vote, with two members voting present.

This bill would provide that the state would pay portions of all the costs and expenses of the assessor of each county or city not within a county or township incurred while making assessments and preparing abstracts of assessment lists and tax bills, and a portion of the salaries of the assessor and his employees. The portion the state would provide would be one-half of the costs, salaries, fees, etc. for 1976, and for each following year the same amount plus up to five percent more per year, except that the amount paid by the state may not exceed one-half of the total costs. In addition, the bill would provide that a general reassessment of all real property subject to taxation shall be made in each county by the assessor, to be completed no later than Dec.31, 1980.

Proponents: Supporters say the bill corrects disparities between first class counties and other counties. It would also help in the process of obtaining a more equal assessment of property taxes state wide as provided in HCS HB 197, 198, which passed the House and is pending in the Senate.

Testifying for the bill were the Missouri Association of Counties, and the St. Louis County Assessor.

Chris Patterson, Research Analyst

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Please insert this page after 376A

HCS SS SB 451 -- Compliance with Federal Income Tax Changes

Sponsor: Schneider

Committee Action: Reported from the Revenue and Economics
Committee on a 11-0 vote, with one member voting present.

This bill will bring the language of the state income tax in conformance with the federal internal revenue code, which was recently changed by Congress. Congress has abolished the federal standard deduction and in lieu thereof has initiated zero bracket amounts.

Proponents: Supporters say Missouri, in the past, has always followed a parallel with the federal government, and this bill will make Missouri's procedure easier to follow.

Testifying for the bill were Senator Schneider; Sandy Sarasohn of St. Louis University; and Ray Schneider of the Senate Research Staff.

Opponents: No opposition voiced to the committee.